To be ensigns

Robert J. Candela, effective March 21, 1955.

Willard L. Shireman, in accordance with law.

James F. Schumann, in accordance with law.

Norman B. Madsen, in accordance with law.

IN THE ARMY

Maj. Gen. Silas Beach Hays, O17803, Medical Corps, United States Army, to be the Surgeon General, United States Army.

Lt. Gen. Lyman Louis Lemnitzer, O12687, Army of the United States (major general, U. S. Army), to be commanding general, Army Forces Far East and Eighth Army, with the rank of general, and as general in the Army of the United States.

Maj. Gen. James Maurice Gavin, O17676, Army of the United States (brigadier general, U. S. Army), to be Deputy Chief of Staff for Plans and Research, United States Army, with the rank of lieutenant general, and as lieutenant general in the Army of the United States.

Capt. Amos A. Jordan, Jr., O27895, to be professor of social science, United States Military Academy, effective March 1, 1955.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.), and Public Law 36, 80th Congress, as amended by Public Law 37, 83d Congress:

To be captain

Powell, John J., VC, O427930.

To be first lieutenants

Benedict, Daniel B., MC, O999420.
Gibson, Jack L., MC, O1940129.
Godfrey, William H., MSC, O1546995.
Gunuskey, Dolores L., ANC, N762590.
Lysak, William, MSC, O966641.

The following-named person for appointment in the Medical Corps, Regular Army of the United States, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.), subject to completion of internship:

To be first lieutenant

Griffin, Martin E., Jr., O4030389.

The following-named persons for appointment in the Regular Army of the United States, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.):

To be first lieutenants

Cluck, Charlie E., O999028.
Madden, William R., Jr., O975483.

The following-named distinguished military student for appointment in the Medical Service Corps, Regular Army of the United States, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.):

To be second lieutenant

Dillard, Herbert A.

The following-named distinguished military students for appointment in the Regular Army of the United States under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.):

To be second lieutenants

Bittl, Frederick E.
Fitter, Patrick M.
Garcia, Eliseo J., O4024771.
Heverly, Clifford C., O401726.
Kennedy, George I. Jr., O1941273.
Nack, Thomas P., O4044536.
Purdy, Harry E., Jr., O4025765.
Turner, Joseph E., Jr.

REGULAR AIR FORCE

The nominations of Robert Wesley Tindall, et al., for promotion in the Regular Air Force, which were confirmed today, were received by the Senate on March 14, 1955, and appear in full in the Senate proceedings of that date under the caption "Nominations," beginning with the name of Robert Wesley Tindall, which is shown on page 2832 and ending with the name of Elbert Ray Chamlis, which appears on page 2833.

SENATE

MONDAY, MARCH 28, 1955

(Legislative day of Thursday, March 10, 1955)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal God, who committest to us the swift and solemn trust of life, so teach us to number our days that we may apply our hearts unto wisdom. Teach us to toil and ask not for reward save that of knowing we do the things that please Thee. May we regard the faithful service of the Commonwealth as a sacramental task.

As we come now, at the beginning of another week, to the high altar of patriotism in this temple of the people's hope and trust, may it be with clear minds, clean hands, and courageous hearts. Thou hast taught us that our lives are the temples of Thy holy presence. Made in Thy image, no despot may enslave our conscience. Against the defilement, by impious hands, of that sacred inner shrine, we pledge a sacrifice from which no Gethsemane or Calvary can hold us back. Strengthen us with the spirit of that One who, for the joy that was set before Him, endured the shame and despised the cross. In His name we ask it. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, March 25, 1955, was dispensed with.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 691) to amend the Rubber Producing Facilities Disposal Act of 1953, so as to permit the disposal thereunder of Plancor No. 877 at Baytown, Tex., and certain tank cars, and it was signed by the President pro tempore.

LEAVE OF ABSENCE

Mr. LANGER. Mr. President, I ask unanimous consent that I may be excused from attendance on the sessions of the Senate for 2½ hours this afternoon so that I may greet Miss Jody Folsom, former potato queen of North Dakota, and a typical beauty from our North Dakota prairies, who represents the State of North Dakota in the Cherry Blossom Festival, and who, I hope, will be elected queen of the festival. She is arriving on the Northwest Airlines to be a charming guest of the North Dakota congressional delegation, who will meet her in a body, and as senior Senator I have the pleasant job of pinning an orchid on her shoulder.

The PRESIDENT pro tempore. Without objection, the Senator from North Dakota will be excused from attending the session of the Senate today for 2½ hours for the purpose indicated.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Internal Security Subcommittee of the Committee on the Judiciary was authorized to meet during the sessions of the Senate through Thursday of this week.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Subcommittee on Welfare Pensions of the Committee on Labor and Public Welfare was authorized to meet during the session of the Senate today.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AUTHORIZATION TO COMMITTEE ON ARMED SERVICES TO REPORT BILL DURING RECESS OR ADJOURNMENT OF THE SENATE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on Armed Services be permitted to report the military pay bill, H. R. 4720, on Tuesday in the event the Senate shall not be in session.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that if the committee shall report the military pay bill, the Senate may proceed to its consideration immediately after the morning hour on Wednesday next.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF UNITED STATES SOLDIERS' HOME

A letter from the Secretary of the Army, transmitting, pursuant to law, a report of the Board of Commissioners, United States Soldiers' Home, for the fiscal year 1954, together with a copy of the report of the annual inspection, 1954 (with accompanying papers); to the Committee on Armed Services.

REPORT OF NATIONAL TRUST FOR HISTORIC PRESERVATION IN THE UNITED STATES

A letter from the secretary, National Trust for Historic Preservation, Washington, D. C., transmitting, pursuant to law, a report of that Trust, for the calendar year 1954 (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT OF PROCEEDINGS OF JUDICIAL CONFERENCE

A letter from the Director, Administrative Office of the United States Courts, Washington, D. C., transmitting, pursuant to law, the annual report of the Director of the Administrative Office of the United States Courts, including the report of the annual and special meetings of the Judicial Conference of the United States, for the year 1954 (with an accompanying report); to the Committee on the Judiciary.

COST ASCERTAINMENT REPORT, POST OFFICE DEPARTMENT

A letter from the Acting Postmaster General, transmitting, pursuant to law, the Cost Ascertainment Report of the Post Office Department, for the fiscal year 1954 (with an accompanying report); to the Committee on Post Office and Civil Service.

REPORT ON COST OF CONSTRUCTION NEEDED TO MODERNIZE THE NATION'S HIGHWAYS

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the cost of construction needed to modernize the Nation's highways, prepared by the Commissioner of Public Roads in cooperation with the State highway departments (with accompanying papers); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Nevada; to the Committee on Public Works:

"Assembly Joint Resolution 35

"Joint resolution memorializing the United States Post Office Department and the General Services Administration to allow the placement of the historical V. & T. railroad engine and mailcar on the premises of the post-office building in Carson City

"Whereas the legend of the Comstock Lode and Virginia City which rose to incalculable wealth is centered around the railroad that was built to serve the Comstock, namely, the Virginia & Truckee Railroad Co.; and

"Whereas over the noble trestles and pastoral tangents of this historical railroad rolled much of the wealth that built San Francisco and financed the careers of ambassadors, princesses, and notables of two generations; and

"Whereas the Virginia & Truckee Railroad Co. was an integral portion of the greatest of all pioneering sagas and was once the richest railroad in the world when measured in terms of return upon its investment and the tangible assets it transported; and

"Whereas the heroic importance of the Virginia & Truckee Railroad Co. in the history of Nevada is attested to by the fact that the great seal of this State shows the locomotive crossing the Crown Point trestle; and

"Whereas this famous shortline was analogous to the traditions of the Pony Express in that it carried the United States mail through all types of weather and adverse conditions; and

"Where economic conditions necessitated the abandonment of this great and historical railroad in 1949 without any visible trace of sentiment, much to the regret of the citizenry of this State and much to the detriment of the proud heritage which it achieved; and

"Whereas two of the world's most respected and notable authorities and authors on railroading, Lucius Beebe and Charles Clegg, wrote, in closing their book on the Virginia & Truckee Railroad Co., the following: 'When the Virginia & Truckee banks the fires of its engines at last for the long night, as have so many little railroads before it, it will not come back again, for the dead return not. But, like the sparkling Concords that went before it down the dusty highroads of yesterday, its memory will live forever in the minds of men, trailing an unforgotten banner of woodsmoke across the Nevada sagebrush where once the railroad ran;' and

"Whereas there is still an opportunity to save some historical remnant of this greatest of all little railroads by virtue of the fact that the chamber of commerce of Carson City, Nev., has a locomotive and a small mailcar which it is desirous of placing on display as an outstanding tourist attraction and monument; and

"Whereas the United States post-office building in Carson City is also known as a historical classic and tourist attraction and it is centrally located with adequate surrounding area for the placement of this exhibit in an appropriate manner; and

"Whereas such a project would be without expense to the Federal Government and the only condition which would be imposed would be the right to remove the train should a new post-office building subsequently be constructed: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of Nevada (jointly), That the Legislature of the State of Nevada respectfully memorializes the United States Post Office Department, by and through the Postmaster General, and the General Services Administration to investigate and examine the feasibility of placing the locomotive and cars of the historical Virginia & Truckee Railroad Co. on the grounds of the post-office building in Carson City, Nev., at no expense to the Federal Government with the only condition being imposed that the chamber of commerce of Carson City reserves the right to remove the equipment whenever the post-office building is abandoned and removed or a new building constructed; and be it further

"Resolved, That the secretary of state of the State of Nevada be, and he hereby is, directed to transmit certified copies of this resolution to the Postmaster General of the United States, the General Services Administration in Washington, D. C., the Governor of this State, and the Senators and Representatives in Congress from the State of Nevada and the President and Vice President of the United States."

A resolution adopted by the Marine Insurance Society, Seattle, Wash., favoring the enactment of House bill 2036, relating to tonnage of naval vessels; to the Committee on Armed Services.

A letter from the Assistant Secretary, Department of State, transmitting a letter from the president, Taiwan Provisional Provincial Assembly, expressing appreciation for steps recently taken by the President and the Congress of the United States in connection with the ratification of the Mutual Defense Treaty with the Republic of China; to the Committee on Foreign Relations.

A letter, in the nature of a petition, from the Marine Corps League, Department of New York, signed by Ray J. Puchalski, commandant, praying for the enactment of legislation to provide that the six participants of the flag-raising on Iwo Jima be interred in the crypt of the marine memorial in Washington, D. C. (with an accompanying paper); to the Committee on Interior and Insular Affairs.

A resolution adopted by the Hawaii County League of Republican Women, Hilo, Hawaii, favoring the appointment of Montgomery Clark to be circuit judge of the Third Judicial Circuit, Territory of Hawaii; to the Committee on the Judiciary.

A resolution adopted by the Citizens Study Club of Oahu, Hawaii, relating to communism; to the Committee on the Judiciary.

RESOLUTIONS OF GENERAL ASSEMBLY OF RHODE ISLAND

Mr. GREEN. Mr. President, I present two resolutions adopted recently by the General Assembly of the State of Rhode Island and Providence Plantations.

One is a resolution memorializing Congress with respect to House bill 3322 and Senate bill 1004, amending the Federal Property and Administrative Services Act which would release for donation to State surplus property agencies a large amount of Government surplus property for use of the State tax-free health and educational institutions.

The other is a resolution memorializing Congress to approve pending resolutions declaring that the people of Ireland should have the right to determine the form of government under which they desire to live.

The PRESIDENT pro tempore. The resolutions will be received and appropriately referred; and, under the rule, will be printed in the RECORD.

The resolutions, presented by Mr. GREEN, were received and appropriately referred as follows:

To the Committee on Government Operations:

"Resolution memorializing Congress with respect to House bill 3322 and Senate bill 1004, amending the Federal Property and Administrative Services Act which would release for donation to State surplus property agencies a large amount of Government surplus property for use of the State tax-free health and educational institutions

"Whereas there are now pending in Congress House bill 3322 and Senate bill 1004 which would be an amendment to the Federal Property and Administrative Services Act (Public Law 152, 81st Cong., sec. 203 (j), which, if passed by the United States Senate and House, would release for donation to State Surplus Property Agencies a large amount of Government surplus property for use of the State tax-free health and educational institutions, property which is now being sold by the Department of Defense and Stock Fund System; and

"Whereas these items would include carpenters' tools, machine tools, small hand tools, drafting equipment, clothing, bedding,

trucks, buses, and many items useful to schools and hospitals; and

"Whereas Rhode Island has been receiving allocations from Department of Health, Education, and Welfare in amount of approximately $350,000 (Government acquisition cost) of material a year: Now, therefore, be it

"Resolved, That the members of the General Assembly respectfully request the Congress of the United States to work for the passage of one or the other of the above-noted bills and to give wholehearted support with no change in basic content; and be it further

"Resolved, That the Secretary of State be and he is hereby authorized to transmit to the Senators and Representatives from Rhode Island in the Congress of the United States duly certified copies of this resolution asking each earnestly to use strong efforts in working for the passage of such important legislation."

To the Committee on Foreign Relations:

"Resolution memorializing Congress to approve the resolutions pending therein declaring that the people of Ireland should have the right to determine the form of government under which they desire to live

"Whereas House Resolution 32, presented to the Congress of the United States by Hon. JOHN E. FOGARTY, Representative in Congress from the Second Congressional District of Rhode Island, which declares that it is the sense of the House of Representatives that the Republic of Ireland should embrace the entire territory of Ireland, unless a clear majority of all the people of Ireland, in a free plebiscite, determine and declare to the contrary; and

"Whereas a similar resolution has been introduced in the Senate of the United States, sponsored by Senators EVERETT MCKINLEY DIRKSEN, of Illinois; JOHN FITZGERALD KENNEDY, of Massachusetts; WILLIAM A. PURTELL, of Connecticut and MICHAEL J. MANSFIELD, of Montana; and

"Whereas 26 of the 32 counties of Ireland have been successful in obtaining international recognition for the Republic of Ireland which has, as its basic law, a constitution modeled upon our own American Constitution: Now, therefore, be it

"Resolved, That since it is the sense of the General Assembly of Rhode Island that the Republic of Ireland should embrace the entire territory of Ireland unless a clear majority of all of the people of Ireland, in a free plebiscite, determine and declare to the contrary, the Senators and Representatives from Rhode Island in the Congress of the United States are respectfully requested to use their earnest efforts to have both Houses of the Congress approve both resolutions; directing the Secretary of State to transmit to them duly certified copies of this resolution."

INVESTIGATION OF THE DIXON-YATES CONTROVERSY—RESOLUTION

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD, and appropriately referred, a resolution adopted at the annual meeting of the Minnesota Electric Cooperative, on March 9 and 10, 1955, requesting an investigation of the Dixon-Yates controversy by the proper committee of Congress.

There being no objection, the resolution was referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

DIXON-YATES CONTRACT

Whereas the administration has seen fit to promote a contract authorizing the private power combine Dixon-Yates to provide electric power to TVA for use by Atomic Energy Commission; and

Whereas President Eisenhower ordered this contract signed over the disapproval of the Chairman of TVA; and

Whereas the administration has refused to present all facts to answer the charges of preferential treatment: Therefore be it

Resolved, That inasmuch as the administration's conduct in the Dixon-Yates case raised many unanswered questions and inasmuch as there are no apparent reasons justifying such a power contract, we, the members of Minnesota Electric Cooperative at our annual State meeting held on March 9 and March 10, 1955, do hereby go on record calling upon Congress to conduct a thorough investigation of the Dixon-Yates controversy by the proper investigating committee; be it further

Resolved, That we send copy of this resolution to the Minnesota Congressmen and Senators.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. PAYNE, from the Committee on Interstate and Foreign Commerce:

S. 37. A bill to amend the act increasing the retired pay of certain members of the former Lighthouse Service in order to make such increase permanent; without amendment (Rept. No. 122).

By Mr. MONRONEY (for Mr. MAGNUSON), from the Committee on Interstate and Foreign Commerce:

S. 460. A bill to amend section 4482 of the Revised Statutes, as amended (46 U. S. C. 475), relating to life preservers for river steamers; without amendment (Rept. No. 123).

AMENDMENT OF CIVIL AERONAUTICS ACT—REPORT OF A COMMITTEE

Mr. MONRONEY. Mr. President, from the Committee on Interstate and Foreign Commerce, I submit a unanimous favorable report, with amendments, on the bill (S. 651) to amend section 401 (e) (2) of the Civil Aeronautics Act, as amended, and I submit a report (No. 124) thereon. The bill, which was introduced by the distinguished senior Senator from Washington [Mr. MAGNUSON], who is chairman of the committee, would provide permanent certification to the 13 feeder lines which have been operating for many years in the United States.

The PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, March 28, 1955, he presented to the President of the United State the enrolled bill (S. 691) to amend the Rubber Producing Facilities Disposal Act of 1953, so as to permit the disposal thereunder of Plancor No. 877 at Baytown, Tex., and certain tank cars.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ERVIN:

S. 1558. A bill for the relief of Martha Llach de Palacios and her children, Virginia Palacios, Daniel Palacios, and Patricia Palacios; to the Committee on the Judiciary.

By Mr. CAPEHART:

S. 1559. A bill to amend the Trust Indenture Act of 1939 to permit a trustee to have one director who is at the same time an investment banker; to the Committee on Banking and Currency.

By Mr. SCHOEPPEL:

S. 1560. A bill for the relief of Dr. John Joon Sik Chung; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S. 1561. A bill for the relief of Katie May Fraser; and

S. 1562. A bill for the relief of Hilda Millonig; to the Committee on the Judiciary.

By Mr. SALTONSTALL (for Mr. KENNEDY):

S. 1563. A bill for the relief of Elidora Yanguas Perez; and

S. 1564. A bill for the relief of Giovanni De Bilio; to the Committee on the Judiciary.

By Mr. CAPEHART (for himself, Mr. KUCHEL, and Mr. KNOWLAND):

S. 1565. A bill to amend the National Housing Act by adding a new title thereto providing authority for technical research and studies on problems of air pollution generally and establishing a loan program to aid in the installation of air pollution prevention equipment; to the Committee on Banking and Currency.

(See the remarks of Mr. CAPEHART when he introduced the above-mentioned bill, which appear under a separate heading.)

By Mr. HUMPHREY (for himself, Mr. KUCHEL, and Mr. GOLDWATER):

S. 1566. A bill establishing a general policy and procedures with respect to payments to State and local governments on account of Federal real property and tangible personal property, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. CHAVEZ:

S. 1567. A bill for the relief of Eduardo Armijo; to the Committee on the Judiciary.

By Mr. CHAVEZ (by request):

S. 1568. A bill to provide for the disposal of Federally owned property at obsolescent canalized waterways and for other purposes; to the Committee on Public Works.

By Mr. RUSSELL (for himself and Mr. SALTONSTALL) (by request):

S. 1569. A bill to increase the annual compensation of the academic dean of the United States Naval Postgraduate School;

S. 1570. A bill to amend the act of February 21, 1946 (60 Stat. 26), to permit the retirement of temporary officers of the naval service after completion of more than 20 years of active service;

S. 1571. A bill to authorize voluntary extensions of enlistments in the Army, Navy, and Air Force for periods of less than 1 year; and

S. 1572. A bill to authorize the crediting, for certain purposes, of prior active Federal commissioned service performed by a person appointed as a commissioned officer under section 101 or 102 of the Army-Navy Nurses Act of 1947, as amended, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. RUSSELL when he introduced the above bills, which appear under a separate heading.)

By Mr. CASE of South Dakota:

S. 1573. A bill to provide a 10-year program of Federal-aid highway authorizations; to establish a corporation to acquire rights-of-way required for the completion of the national system of interstate highways; and

for other purposes; to the Committee on Public Works.

(See the remarks of Mr. CASE of South Dakota when he introduced the above bill, which appear under a separate heading.)

By Mr. GOLDWATER (by request):

S. 1574. A bill to provide for payments by the Secretary of the Interior to owners of non-Federal water-use facilities for hydroelectric power benefits realized by the United States therefrom, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SPARKMAN:

S. 1575. A bill to amend section 304 of title III of the National Housing Act, as amended, to provide for extension of certain purchase contracts of the Federal National Mortgage Association; to the Committee on Banking and Currency.

(See the remarks of Mr. SPARKMAN when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSON of Texas (for Mr. CLEMENTS, Mr. SCOTT, and Mr. SCHOEPPEL):

S. J. Res. 60. Joint resolution directing a study and report by the Secretary of Agriculture on burley tobacco marketing controls; to the Committee on Agriculture and Forestry.

By Mr. KEFAUVER (for himself and Mr. POTTER):

S. J. Res. 61. Joint resolution to provide for the establishment and operation of an Americanism and good citizenship booth or station in the rotunda of the Capitol; to the Committee on Rules and Administration.

AMENDMENT OF NATIONAL HOUSING ACT, RELATING TO PROBLEMS OF AIR POLLUTION

Mr. CAPEHART. Mr. President, on behalf of the Senators from California [Mr. KNOWLAND and Mr. KUCHEL] and myself, I introduce a bill to amend the National Housing Act by adding a new title thereto providing authority for technical research and studies on problems of air pollution generally and establishing a loan program to aid in the installation of air-pollution prevention equipment, and ask that it be appropriately referred.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1565) to amend the National Housing Act by adding a new title thereto providing authority for technical research and studies on problems of air pollution generally and establishing a loan program to aid in the installation of air-pollution prevention equipment, introduced by Mr. CAPEHART (for himself, Mr. KNOWLAND, and Mr. KUCHEL), was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. CAPEHART. Mr. President, we believe that this bill would contribute materially to smoke elimination and air-pollution prevention. I ask unanimous consent to have printed in the body of the RECORD a statement which I have prepared in connection with the proposed legislation.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CAPEHART

The purpose of this bill, stated briefly, is twofold:

To encourage and assist individuals, industries, and communities to solve their air-pollution problem in order to conserve home values, improve health, and preserve the essentials for good environments so needed for better community living.

Essentially, by the very nature of the problem, the air-pollution nuisance is interstate in character. Certain aspects of the problem, however, are local in nature. For example, its control is a local problem. And any program to be effective must originate at the local level, having the full and united support of all segments in the local community. Some aspects, however, transcend city and State lines. In fact, polluted air knows no respect for corporate limits or State lines. Clearly, therefore, a very proper rule exists for the Federal Government to play in any anti-air-pollution campaign.

The bill provides for:

1. A program of technical research and study concerned with (a) the causes of air pollution, (b) devices and methods for prevention or elimination of air pollution, and (c) guidance and assistance to local communities in smoke abatement and air-pollution prevention and control.

2. A loan program by HHFA in cooperation with private lending institutions for business enterprises that install air-pollution equipment when financial assistance is not otherwise available on reasonable terms. For the homeowner, FHA loan insurance may be used for purposes of home conversion and improvements that will aid smoke abatement and air-pollution prevention.

With the incentive provided by the proposed bill, it is hoped that cities and States will be encouraged to enact legislation contemplated to reduce air pollution immediately and ultimately to eliminate air pollution.

The National Housing Act contains provisions to encourage and assist local communities in slum clearance. Well and good it is to eliminate slums. However, it is shortsighted indeed to permit air pollution to continue, because unless abated, we can expect the newly constructed homes of today to become the slums of tomorrow—just as surely as blight follows decay.

It has been estimated that polluted air costs the people of these United States about $5 billion a year. The extent of the damage to merchandise, buildings, homes, and home foliage alone is thought to be nearly $1 billion a year.

Of much greater significance is the impact upon the health of the country. Each day, each person draws in his body about 3,800 gallons of air, unaware of the damage polluted air can cause health and life.

The air one breathes may subject a person or his family to serious allergies and to eye, skin, and throat ailments. Some experts even fear that polluted air may be one of the causes for the recent sharp increase in lung cancer.

Any solution to the air pollution problem must face, realistically, the tax phase therein involved. Many of the devices, structures, machinery, or equipment for prevention or elimination of air pollution involve costly expenditures. Accordingly, it seems no more than fair that certain tax benefits should be extended to those who are willing to expend substantial amounts of money to the end that this problem may be solved.

With this viewpoint in mind, Senator KUCHEL and I joined with Senators MARTIN of Pennsylvania, DUFF, KNOWLAND, POTTER, and WILEY in introducing S. 917 on February 4, 1955. This bill, which was referred to the Senate Finance Committee, is to encourage the prevention of air and water pollution also, by allowing the cost of treatment works to be amortized at an accelerated rate for income-tax purposes over a period of 5 years. Several companion bills have been sponsored in the House. I hope that the Senate Finance Committee may see fit to give early consideration to this very important bill which covers the third aspect of the smoke elimination and air pollution prevention problem.

PAYMENTS TO STATE AND LOCAL GOVERNMENTS IN LIEU OF TAXES

Mr. HUMPHREY. Mr. President, on behalf of myself and the Senator from California [Mr. KUCHEL], I introduce, for appropriate reference, a bill establishing a general policy and procedures with respect to payments to State and local governments on account of Federal real property and tangible personal property, and for other purposes. I ask unanimous consent that I may be permitted to make a brief statement pertaining to the bill, in excess of the 2 minutes allowed under the order which has been entered.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the Senator from Minnesota may proceed.

The bill (S. 1566) establishing a general policy and procedures with respect to payments to State and local governments on account of Federal real property and tangible personal property, and for other purposes, introduced by Mr. HUMPHREY (for himself, Mr. KUCKEL, and Mr. GOLDWATER) was received, read twice by its title, and referred to the Committee on Government Operations.

Mr. HUMPHREY. Mr. President, this bill was originally submitted by the Bureau of the Budget and is similar to measures which I introduced in the 82d and 83d Congresses.

The bill would authorize five types of payments to State and local governments:

First. Regular ad valorem taxes on properties owned by the Federal Government but leased to private users or sold to them under conditional sales contracts.

Second. Annual payments determined by each Federal property-owning agency on the basis of an application from the affected State or local government and in conformity with Governmentwide standards and procedure for properties in each class. This would be the most common type of payment under the bill.

Third. Transition payments on a declining basis over a 10-year period.

Fourth. Special payments in unusual situations where a taxing jurisdiction can demonstrate that Federal activities are imposing a local hardship for which other aid is available from the Federal Government.

Fifth. Special asessment for local improvements, substantially the same as for private property.

The bill would repeal more than 20 statutory provisions authorizing special types of payments and would substitute general provisions applying to specified properties of all Federal agencies. Rules and regulations to guide the property-owning agencies would be issued by a commission consisting of the Secretary of the Treasury, the Administrator of General Services, and the Director of the Bureau of the Budget.

The bill would not apply within the District of Columbia and the island possessions, which usually have been the subject of special arrangements adapted

to their special relationships to the Federal Government. Likewise, the bill does not cover public-domain lands which have never been on the tax rolls; most of these lands are subject to present revenue-sharing arrangements which would not be disturbed by the new bill.

My own experience as mayor of Minneapolis and as chairman during the 81st Congress of the Senate Subcommitee on Intergovernmental Relations has persuaded me that this problem is vital and should be acted upon as soon as possible. Local governments have lost a great deal of tax revenue as a result of Federal Government defense activities since 1939. In addition, because of the Federal activities, many communities have had a build schools, hospitals, houses, and otherwise provide for the influx of new population.

The Senate has not yet acted on any long-range proposal to provide for payments in lieu of taxes pending further study. In the 83d Congress, the Commission on Intergovernmental Relations was created. One of its responsibilities was to study this problem and send recommendations to the Congress. It is my privilege to serve as a member of the Commission, and also to have served as a member of a special study group to report to the Commission. The present plans are for the Commission to make its report to the Congress by June 1. It is our hope that the recommendations of the Commission will be consistent with the outlines of the bill which we join in submitting today. The bill is introduced at this time to provide a basis for hearings which I hope will take place soon after the Commission on Intergovernmental Relations submits its report.

The integrity and independence of local government is at stake. We have a responsibility to help solve the problems facing local and State governments, particularly when those problems arise out of Federal action. The adoption of a reasonable solution along the lines in our bill will spread government costs more equitably and will strengthen our Federal system of Government.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the remarks I am about to make may follow in the RECORD those made by the distinguished junior Senator from Minnesota [Mr. HUMPHREY].

The PRESIDENT pro tempore. Without objection, it is so ordered.

LOCAL GOVERNMENT IN AMERICA IS FACED WITH GROWING PROBLEMS

Mr. KUCHEL. Mr. President, the bill just introduced to provide for financial contributions in lieu of taxes on the part of Federal agencies to communities in which the United States has acquired property is essential to stop the undermining of the revenue structures beneath many units of local government.

Taxies levied against real and personal property are the principal sources of revenue for most counties, municipalities, and school districts. Every additional acquisition of property by the Federal Government whittles away at the supports of our local governments. While Federal activities revolving around such real estate may bring benefits to the affected communities in the form of additional payrolls, all too frequently the burden on local governments is increased at the same time.

The vicious circle of growing Federal property holdings threatens the choke the very life out of a tragic number of units of local government. The condition is especially serious in many parts of my own State. The plight of boards of supervisors, city councils, and school district officers is highlighted by the fact that only a little more than half of the area of the vast State of California is subject to assessment by local governments. The United States owns the balance.

I wish, Mr. President, my colleagues would give thought to a few statistics which to me demonstrate forcefully why this Congress must tackle without further delay the question of solving this acute problem.

California has 158,693 square miles. It is the second largest State of the Union geographically. The difficulties encountered in raising revenues through real estate taxation are shown graphically by the fact that of its approximately 100 million acres, the Federal Government is the owner, Uncle Sam is the tax-exempt landlord, of 46,311,044 acres of land.

Thus, Mr. President, according to data compiled by the California State Board of Equalization, only 53.85 percent of the real estate in this tremendous estate is available for assessment to finance costs of local government.

The predicament of local authorities cannot be shrugged off. The figures furnished me by the State Board of Equalization show that on a very conservative basis the estimated value of Federal land holdings is $294,108,269. The estimated value of improvements on only the portion of property acquired since 1938 is another $244,921,255.

Even using these incomplete statistics, the United States Government is the owner of land and buildings in my State with a valuation of $539,029,524.

The need for and justice of legislation providing for payments in lieu of taxes are obvious from a study of the Board of Equalization data. At the average State tax rate of $5 per $100, the revenues from the Federal holdings would amount to $26,950,000.

A few examples illustrate the serious threat to local government of expanding Federal property without making provision for some type of financial contribution. Here are some which stand out on the list. Federal property acquired only since 1938 is valued at $73,051,269. The improvements on this real estate alone have valuations of $26,083,836 in the case of Contra Costa County, $56,250,500 in the case of Los Angeles County, $20,040,000 in the case of San Bernardino County, $18,004,133 in the case of San Diego County, $22,102,350 in the case of San Francisco County, $39,275,000 in the case of San Joaquin County, and $50,050,000 in the case of Solano County.

Much of the vast Federal holdings are in rural areas. Even under our bill, no payments in lieu of taxes would be made to the local governments where much of this property is located. I cannot overlook the fact, however, that the rural holdings of the United States in my home State, as of 1950, aggregated 45,992,841 acres. This is the third greatest total in the entire Nation. A substantial part of this is public domain land that would not be covered by the legislation I feel this Congress should enact.

The fact that a great proportion of Federal real property and most of the Government-owned personal property would still be exempt from taxation or any other type of payment is further reason why some form of compensation to local governmental bodies is an inescapable moral obligation which Congress should recognize.

Many of my colleagues will recall that one facet of this problem was discussed at considerable length 1 year ago in this body. When we were considering the Lease-Purchase Act the point was made that the proposed new buildings the Federal Government would acquire through the installment method would be bought on terms that include reimbursement to the builder for amounts paid in taxes.

During the debate, I noted the minimum lease period of 10 years would afford an opportunity for Congress to work out a more equitable long-term solution to the problem of threatened drying-up of the sources of revenue at the disposal of local governments.

The bill of which I am happy to be a coauthor is far from a complete answer to the question of how the Federal Government is going to protect local taxpayers from being forced to dig deeper in their pockets each time Uncle Sam bites off another chunk of a local tax base. But it will indicate to the American home owner Federal acceptance of a Federal obligation.

I feel, despite its deficiencies, the bill should be considered sympathetically and speedily because the stability of local governments in literally hundreds of situations depends directly upon action by Congress acknowledging a degree of responsibility to provide a reasonable share of moneys necessary for the functioning of counties, municipalities, school districts, and similar bodies. The proposal would bring a desirable amount of uniformity into intergovernmental relations, by replacing more than 20 piecemeal provisions of law, and would authorize payments in situations where at present there is no provision for Federal cost-sharing.

Mr. GOLDWATER. Mr. President, I desire to commend the distinguished junior Senator from Minnesota [Mr. HUMPHREY] and the distinguished junior Senator from California [Mr. KUCHEL] upon having introduced the bill to which they have just referred.

Earlier this year, I did research in this field and found that more than $350 million should be coming to the school districts of America if Federal property, and private property operated under the protection of the Federal Government, paid taxes or lieu amounts.

Seventy-three percent of the State of Arizona is owned, operated, or controlled by the Federal Government. In

a growing State like Arizona, such a situation becomes a real and particular problem.

I wish to ask the distinguished Senator from Minnesota if he would object to my being a cosponsor of the bill which he and the distinguished junior Senator from California have introduced relating to lieu taxation.

Mr. HUMPHREY. Not only would I not object, but I would be very much pleased. I heartily welcome the cosponsorship of the bill by the distinguished junior Senator from Arizona.

Mr. GOLDWATER. The Senator from Arizona thanks the Senator from Minnesota.

PROPOSED LEGISLATION FOR ARMED FORCES

Mr. RUSSELL. Mr. President, on behalf of myself, and the Senator from Massachusetts [Mr. SALTONSTALL], by request, I introduce, for appropriate reference, four bills relating to the armed services.

Each of these bills is requested by the Department of Defense and is accompanied by a letter of transmittal from the appropriate military department explaining the purpose of the bill.

I ask unanimous consent that the letters of transmittal be printed in the RECORD immediately following the listing of the bills.

The PRESIDENT pro tempore. The bills will be received and appropriately referred; and, without objection, the letters accompanying the bills will be printed in the RECORD.

The bills, introduced by Mr. RUSSELL (for himself and Mr. SALTONSTALL), by request, were received, read twice by their titles, and referred to the Committee on Armed Services, as follows:

S. 1569. A bill to increase the annual compensation of the Academic Dean of the United States Naval Postgraduate School.

(The letter accompanying Senate bill 1569 is as follows:)

DEPARTMENT OF THE NAVY,
Washington, D. C., January 5, 1955.

Hon. RICHARD M. NIXON,
President of the Senate,
United States Senate,

MY DEAR MR. PRESIDENT: There is forwarded herewith a draft of proposed legislation to increase the annual compensation of the academic dean of the United States Naval Postgraduate School.

This proposal is part of the Department of Defense legislative program for 1955 and the Bureau of the Budget has advised that there would be no objection to the presentation of this proposal for the consideration of the Congress. The Department of the Navy has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by this Congress.

PURPOSE OF THE LEGISLATION

The purpose of the proposed legislation is to increase the statutory limitation which is now imposed on the annual compensation of the academic dean of the United States Naval Postgraduate School.

The present compensation of the academic dean of the Naval Postgraduate School was established in 1946 when that position was created by the act of June 10, 1946 (60 Stat. 236) for the Postgraduate School of the Naval Academy. When the postgraduate school was given statutory recognition by the act of July 31, 1947 (61 Stat. 706), and was established as a school separate from the Naval Academy and designated the United States Naval Postgraduate School, the provisions of the act of June 10, 1946, were made applicable to the academic dean of the United States Naval Postgraduate School.

Since 1946 no change has been made in the annual compensation of the academic dean of the Naval Postgraduate School, although two cost-of-living increases have been granted almost all other Federal Government employees. While the Secretary of the Navy may, under the authority given him by the act of July 31, 1947, grant to the other civilian members of the faculty of the Naval Postgraduate School cost-of-living increases comparable to those granted other employees of the Federal Government, he may not increase the compensation of the academic dean beyond $12,000 because of the limitation imposed on that salary by the act of June 10, 1946.

The academic dean of the Naval Postgraduate School is head of the civilian faculty of that school, a position which is similar to that of the dean of any of the outstanding engineering schools in this country. In order to retain a person of the high caliber which the position requires, the salary provided must be comparable with that offered by private institutions.

The proposed legislation would authorize the Secretary of the Navy to prescribe the annual salary of the academic dean at a rate not to exceed $13,500. An analysis of the figures obtained from a recent survey by the Department of the Navy of civilian institutions of comparable purpose and standing shows the present average salary for deans to be $13,500.

LEGISLATIVE REFERENCE

This proposal was submitted to the 83d Congress by the Department of the Navy on March 11, 1954, as a part of the Department of Defense legislative program for 1954. It was introduced as S. 3177 but no further action was taken thereon.

COST AND BUDGET DATA

Enactment of the proposed legislation would result in an annual increased cost of $1,500, which would be absorbed from existing appropriations.

Sincerely yours,

C. S. THOMAS.

S. 1570. A bill to amend the act of February 21, 1946 (60 Stat. 26), to permit the retirement of temporary officers of the naval service after completion of more than 20 years of active service.

(The letter accompanying Senate bill 1570 is as follows:)

DEPARTMENT OF THE NAVY,
Washington, D. C. January 5, 1955.

Hon. RICHARD M. NIXON,
President of the Senate, United States Senate, Washington, D. C.

MY DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation, "To amend the act of February 21, 1946 (60 Stat. 26), to permit the retirement of temporary officers of the naval service after completion of more than 20 years of active service."

This proposal is part of the Department of Defense legislative program for 1955 and the Bureau of the Budget has advised that there is no objection to the presentation of this proposal for the consideration of the Congress. The Department of the Navy has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The purpose of this proposed legislation is to make temporary officers of the naval service, whose permanent status is enlisted, eligible for voluntary retirement on completion of more than 20 years of active service, at least 10 years of which is commissioned service.

Section 6 of the act of February 21, 1946 (50 Stat. 27) provides that "When any officer of the Regular Navy or the Regular Marine Corps or the Reserve components thereof has completed more than 20 years of active service in the Navy, Marine Corps, or Coast Guard, or the Reserve components thereof, including active duty for training, at least 10 years of which shall have been active commissioned service, he may at any time thereafter, upon his own application, in the discretion of the President, be placed upon the retired list on the first day of such month as the President may designate."

The Comptroller General, in a decision dated July 22, 1952 (B–109511), has held that enlisted personnel serving under temporary appointments as commissioned officers are not "officers of the Regular Navy" within the meaning of that term as used in section 6 of the act of February 21, 1946 (60 Stat. 27), and therefore are not eligible to retire under that act. The effect of this decision is to limit these temporary officers to retirement under the laws relating to enlisted personnel. Under these laws they may transfer in their enlisted status to the Fleet Reserve or Fleet Marine Corps Reserve after the completion of 20 years of active service, with further transfer to the retired list on completion of 30 years' service, including time in the Fleet Reserve or Fleet Marine Corps Reserve, and advancement to their officer rank at that time.

When section 6 of the act of February 21, 1946 was enacted there were no temporary officers who could have qualified for retirement under its provisions and the possibility at that time that any of the temporary officers would complete the required 10 years of service in commissioned grades was considered remote. Substantial numbers of temporary officers, however, have continued to serve in commissioned grade and now have the required 10 years of commissioned service. The exclusion of these temporary officers from the privilege of retiring in their officer status after 20 years' service is an inequity which has no basis in value or type of service rendered. Their treatment in respect to voluntary retirement is discriminatory when it is considered that other classes of officers may retire under the law on the basis of service which is factually similar to that of these temporary officers. Among those are Reserve officers whose original status was enlisted, limited-duty officers, and commissioned warrant officers who are serving temporarily in higher commissioned grades.

The effect of this inequity will become more aggravated in the very near future. The readjustment of active duty officer strength to meet reduced budgetary provisions will require that many of the temporary appointments will be terminated. Many of these temporary officers with more than 20 years' service will be faced with the option of serving in enlisted grades or of transferring to the Fleet Reserve or Fleet Marine Corps Reserve in a status which gives no recognition to their years of valuable service in commissioned grades.

Enactment of the proposed amendments to the act of February 21, 1946, would make those temporary officers, whose permanent status is enlisted, eligible for voluntary retirement after the completion of more than 20 years of active service, at least 10 years of which has been commissioned service, and would permit them to have the highest rank in which they satisfactorily served when placed on the retired list.

LEGISLATIVE REFERENCES

This proposal was submitted to the 83d Congress by the Department of the Navy as

a part of the Department of Defense legislative program for 1954 but no further action was taken thereon.

COST AND BUDGET DATA

Enactment of this proposed legislation would result in additional cost to the Government, representing, in each individual case, the difference between retired pay in the commissioned grade to which the officer would be entitled to be retired and the retainer pay to which he would be entitled if transferred to the Fleet Reserve or Fleet Marine Corps Reserve, for the period of time from the date of retirement to the date when he would complete 30 years' service. There are now on active duty in the Navy 3,683 and in the Marine Corps 153 temporary officers, whose permanent status is enlisted, who as of July 1, 1954 will have less than 30 years' service. No estimate can be made of the number of those officers who would apply for voluntary retirement if the proposed legislation is enacted. It is expected that necessary reductions in numbers of temporary officers on active duty can be accomplished by retirements on 30 years' service until fiscal year 1957. Assuming that all officers who must have their temporary appointments terminated will elect to retire in their commissioned officer grades rather than transfer to the Fleet Reserve or Fleet Marine Corps Reserve in an enlisted status, the additional cost of the enactment of this proposed legislation is estimated as follows:

Fiscal year	Navy	Marine Corps	Total
1957	$4,207,692	$79,000	$4,286,692
1958	3,920,376	161,000	4,081,376
1959	3,570,528	156,000	3,726,528
1960	3,278,244	146,000	3,424,244
1961	2,970,600	129,000	3,099,600
1962	2,610,480	112,000	2,722,480
1963	2,235,828	98,000	2,333,828
1964	1,984,236	86,000	2,070,236
1965	1,482,924	70,000	1,552,924
1966	1,033,392	48,000	1,081,392
1967	611,640	17,000	628,640

Sincerely yours,

C. S. THOMAS.

S. 1571. A bill to authorize voluntary extensions of enlistments in the Army, Navy, and Air Force for periods of less than 1 year.

(The letter accompanying Senate bill 1571 is as follows:)

DEPARTMENT OF THE NAVY,
Washington, D. C., March 3, 1955.

Hon. RICHARD M. NIXON,
President of the Senate,
United States Senate,
Washington, D. C.

MY DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation, "To authorize voluntary extensions of enlistments in the Army, Navy, and Air Force for periods of less than 1 year."

This proposal is a part of the Department of Defense Legislative Program for 1955 and the Bureau of the Budget has advised that there would be no objection to the presentation of this proposal for the consideration of the Congress. The Department of the Navy has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The proposed legislation would authorize voluntary extensions of enlistments in the Army, Navy, and Air Force for periods of less than 1 year.

The act of August 22, 1912 (ch. 335, 37 Stat. 331) authorizes enlisted men of the Navy and Marine Corps to voluntarily extend their enlistments for periods of 1, 2, 3 or 4 years. Likewise, section 1422 of the Revised Statutes, as amended (ch. 155, 18 Stat. 484; 34 U. S. C. 201) authorizes the retention of enlisted personnel of the Navy beyond the normal expiration of their enlistments when the vessel to which they are attached is outside the continental limits of the United States, in which event they may be retained until the vessel returns to the United States. The Army and Air Force do not have similar authority.

There are times when it would be advantageous to the Government and to the enlisted man concerned if enlistments could be voluntarily extended for periods less than 1 year. With respect to the Navy, a typical case is where a ship is scheduled to cruise beyond the continental limits of the United States for a period of several months but for considerably less than 1 year. It would be in the best interest of the Government and of the enlisted man, whose enlistments would normally expire during the period of the scheduled cruise, to be able to extend the time of enlistment for a period long enough to include the cruise. Similarly, some enlisted personnel of the Army and Air Force are often engaged in important activities which may carry over for a period of several months beyond the normal expiration of their enlistments. In such cases it would also appear to be in the best interest of the Government and of the enlisted personnel involved to be able to extend the enlistment for the short period necessary to complete the mission.

By authorizing voluntary extensions of enlistments for periods of less than 1 year, the Government would benefit by having the services of trained personnel during a cruise, activity, or special project and would not be required to provide replacements for those activities. The advantage to the enlisted man would be that he could participate in the project without being required to extend his enlistment for a full year or without being required to reenlist for a period of 3 years, whichever the case may be.

It is contemplated that if the proposed legislation is enacted regulations will be issued which will restrict extensions of enlistments for less than 1 year to those situations where acceptance of such extensions will be in the best interest of the Government.

COST AND BUDGET DATA

Enactment of this proposal would result in no increase in the budgetary requirements of the Department of Defense.

Sincerely yours,

C. S. THOMAS.

S. 1572. A bill to authorize the crediting, for certain purposes, of prior active Federal commissioned service performed by a person appointed as a commissioned officer under section 101 or 102 of the Army-Navy Nurses Act of 1947, as amended, and for other purposes.

(The letter accompanying Senate bill 1572 is as follows:)

DEPARTMENT OF THE AIR FORCE,
Washington, February 3, 1955.

Hon. RICHARD M. NIXON,
President of the Senate.

DEAR MR. PRESIDENT: There is enclosed herewith a draft of legislation, "To authorize the crediting, for certain purposes, of prior active Federal commissioned service performed by a person appointed as a commissioned officer under section 101 or 102 of the Army-Navy Nurses Act of 1947, as amended, and for other purposes."

This proposal is a part of the Department of Defense legislative program for 1955 and the Bureau of the Budget has advised that there would be no objection to the presentation of this proposal for the consideration of the Congress. The Department of the Air Force has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The purpose of this legislation is to authorize for nurses and women medical specialists of the Army and Air Force a two-fold benefit.

First, it would provide statutorily for extending to such personnel a service credit available under existing law to all other commissioned personnel of the Army and Air Force, namely, credit for the Federal commissioned service performed by the individual between December 31, 1947 and her appointment in the regular component. No more than 5 years of such service could be credited, however. The purpose of this credit would be to determine her position on the promotion list, seniority in her permanent grade, and eligibility for promotion. This service credit provision now applies to all other commissioned personnel of Army and Air Force by virtue of section 506 (c) of the Officer Personnel Act (10 U. S. C. 506c (c)), and section 307 of the Air Force Organization Act (10 U. S. C. 1837).

Secondly, it would provide a 3-year credit for any nurse or woman medical specialist of the Army or Air Force appointed initially in the regular component as first lieutenant who had not actually performed as much as 3 years' active Federal commissioned service since December 31, 1947. This type of credit is provided to take care of the individual whose initial appointment at first lieutenant grade is justified primarily upon her civilian experience in her specialty. Such credit is necessary for anyone appointed at a first lieutenant grade initially in the regular component in order to keep in good order the promotion list on which she is placed. The Army-Navy Nurses Act, as amended, requires completion of 7 years' service for promotion to permanent grade of captain (10 U. S. C. 166f). Eligibility for promotion to that permanent grade 4 years after an individual had been initially appointed in the regular component as a first lieutenant would be questionable unless there were some tangible evidence of a 3-year credit because of her appointment initially as a first lieutenant. In the absence of such a 3-year credit, a serious injustice could be done to anyone initially appointed in the regular component at first lieutenant grade.

It is emphasized that the two types of credit are not additive. The individual would be given whichever type of credit was greater, either that for active Federal commissioned service actually performed, up to a maximum of 5 years, or the 3-year credit, if her professional experience justified the first lieutenant grade, but her active Federal commissioned service subsequent to 1947 did not equal 3 years.

COST AND BUDGET DATA

Although this proposed legislation would be retroactive to January 1, 1948, it would require no increase in the budget for the Air Force because of promotions. If enacted, it would make certain Regular Air Force nurses and women medical specialists eligible at an earlier date for permanent grade promotion. In the case of every Air Force nurse and woman medical specialist who would be affected by this bill, however, the individual is already serving by temporary promotion in the higher grade for which she would be eligible by permanent promotion by reason of the service credit she would obtain by the enactment of this proposal.

For the Army, from the standpoint of promotions, there will be little, if any, effect on the number of grade changes that will be effected in the Army Nurse Corps and Women's Medical Specialists Corps if the proposed legislation is enacted. Inasmuch as the active duty officer strength of the Army is greater than the Regular Army officer strength, any grade changes resulting from

this legislation can be absorbed within the proposed budget limitations as well as those already in effect. Accordingly, it would require no increase in the budget for the Army because of promotions.

This proposal would not increase retirement pay costs for either Army or Air Force, inasmuch as under current law and as proposed for the future in the Department of Defense's current legislative program, a nurse or woman medical specialist is generally retired at the highest grade, temporary or permanent, in which she has served satisfactorily on active duty.

Sincerely yours,

HAROLD E. TALBOTT.

AUTHORIZATION FOR 10-YEAR PROGRAM OF FEDERAL-AID HIGHWAY CONSTRUCTION

Mr. CASE of South Dakota. Mr. President, I introduce for appropriate reference a bill to provide a 10-year program of Federal-aid highway authorization, to establish a system of interstate highways, and for other purposes.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1573) to provide a 10-year program of Federal-aid highway authorizations; to establish a corporation to acquire rights-of-way required for the completion of the national system of interstate highways; and for other purposes, introduced by Mr. CASE of South Dakota, was received, read twice by its title, and referred to the Committee on Public Works.

Mr. CASE of South Dakota. Mr. President, in connection with the bill I may say to the Senate that it has been introduced as a result of considerable study in connection with hearings currently being conducted by the Senate Public Works Subcommittee on Roads. The bill proposes a program which I believe will cost, in 10 years following the completion of the immediate fiscal year ahead of us, substantially a completed system of interstate highways, plus the completion of the regular primary, secondary, and urban systems. It is a bill which presents some new features in highway legislation. It proposes, through a right-of-way corporation, to establish earnings which will produce revenues of substantially $900 million a year, in addition to whatever might be made available by direct appropriations.

It proposes to set up regular aid appropriations by Congress, so that we may have a Federal program of approximately $2,700,000,000 a year for highway construction.

I earnestly commend the bill to the attention of the Senate and particularly of the Senators who are concerned with the highway problem.

Mr. CHAVEZ. Mr. President, will the Senator from South Dakota yield?

Mr. CASE. I yield.

Mr. CHAVEZ. Mr. President, I know of no one who has devoted more time to public roads, with few exceptions, than has the Senator from South Dakota. I wish to assure him that as chairman of the Committee on Public Works the suggestions contained in the bill which he has introduced will receive the most serious consideration from the committee this year.

Mr. CASE of South Dakota. Mr. President, I deeply appreciate the comment of the distinguished chairman of the Commitee on Public Works. I ask unanimous consent that a statement prepared by me pertaining to the bill be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CASE OF SOUTH DAKOTA

1. The bill proposes to apportion $1.8 billion per year from the Treasury for 10 years to highway purposes, one-half to the interstate system and one-half to the other systems; that is, $900 million to each.

NOTE.—The figure of $1.8 billion is arrived at by estimating the receipts from the Federal tax and motor oils at $54 billion in 30 years, and putting one-thirtieth of that amount to highway purposes for the next 10 years.

2. The bill proposes to create a national interstate highway right-of-way corporation to handle the acquisition of rights-of-way on request by the States, to finance and construct major bridges and tunnels. This corporation, it is planned, would provide another $900 million per year for financing of the interstate system by issuing $500 million in debentures each year for 10 years and $400 million from earnings (largely through license fees for trucks weighing over 20,000 pounds). The corporation would construct and operate major bridges and tunnels suitable for tolls. At the end of 10 years, the earning would be available for retiring the debentures issued.

The bill further proposes:

3. To offer Federal highway aid to the States on a 90 to 10 ratio of matching for roads on the interstate system and to continue the 50–50 basis for the other Federal primary, secondary, and urban systems.

4. To work into the interstate routes suitable existing toll roads and free roads without the reimbursement proposed in the report of the Clay Commission.

5. To increase the transferability between systems at State request from 10 to 20 percent, thereby to permit a balanced completion within the several States.

It is believed this plan will provide for the interstate something like this:

1. Direct apportionments per year	$900,000,000
2. Ten percent matching by States per year	90,000,000
3. Rights-of-way (½); bridges and tunnels (½)	900,000,000
4. Ten percent matching on rights-of-way	45,000,000
Estimated annual expenditures per year	1,935,000,000
Ten-year total of expenditures at above rate	19,350,000,000
Undisturbed fiscal 1956 program of $175 million, when matched on present 60–40 basis	291,000,000
Saving by not paying off toll roads in system	2,300,000,000
Saving by not reimbursing States for free roads	1,100,000,000
Measure of inter-State progress in 11 years	23,041,000,000

It is believed we could provide leadership to the States in completing other Federal aid systems as recommended by the Clay committee, the governors, and President Eisenhower by dividing the other $900 million of the capitalized funds as follows:

1. To the regular Federal-aid primary system, $360 million.

(Compares with $247.5 million in 1952 act and $315 million in 1954 act.)

2. To the Federal-aid secondary system, also $360 million.

(Compares with $165 million in 1952 act and $210 million in 1954.)

3. To the urban system exclusive of interstate access, $90 million.

(Bill also earmarks $270 million of interstate for urban work, thereby insuring $360 million each for the primary, secondary, and urban programs.)

4. To roads and highways on Federal lands or programs, $90 million.

(Suggested division: Forest highways $24 million, forest roads and trails $24 million; national park roads $14 million; parkways $11 million; Indian roads and bridges $8 million; public lands $1 million; Inter-American Highway (authorized in 1954) $8 million.)

Such a program does not dry up the revenues for 20 years after this authorization is completed.

It does not dedicate tax revenues to a special bond issue.

It provides the right-of-way corporation with solid user revenues to service its bonds.

It offers leadership and incentive to the States in completing all classes of roads.

It provides a way for those who contribute most to wear and tear—heavy trucks and buses—to contribute directly to the highways that will benefit them in a very high degree.

It protects the States in presently invested highway funds and polices the priority of projects by preserving the matching principle.

It avoids the undesirable precedent of direct linkage for tax levies that would plague future Treasury operations.

EXTENSION OF CERTAIN PURCHASE CONTRACTS OF FEDERAL NATIONAL MORTGAGE ASSOCIATION

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, a bill to amend section 304 of title III of the National Housing Act, as amended, to provide for extension of certain purchase contracts of the Federal National Mortgage Association. I ask unanimous consent that I may speak on the bill in excess of the 2 minutes allowed under the order which has been entered.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the Senator from Alabama may proceed.

The bill (S. 1575) to amend section 304 of title III of the National Housing Act, as amended, to provide for extension of certain purchase contracts of the Federal National Mortgage Association, introduced by Mr. SPARKMAN, was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. SPARKMAN. Mr. President, the Housing Amendments Act of 1953 enabled the Federal National Mortgage Association to enter into advance purchase contracts somewhat as follows. If a mortgagee would buy $1 million in mortgages from the Association, commonly known as FNMA, the Association could agree to purchase at a future date $1 million in mortgages from the mortgagee. This advance purchase authority was limited to a total amount of $500 million, and the Association had complete discretion as to the terms and conditions of the contracts. This feature of the law has become known as the

1-for-1 commitment program of the Federal National Mortgage Association.

Under this authority, the Federal National Mortgage Association has in fact entered into these 1-for-1 advance purchase contracts in an amount approximating $500 million. Exercising its discretion as to terms and conditions of the contracts, the Association fixed a time limit of 1 year within which the holder must deliver the mortgages for purchase by the Association. This 1-year period is usually ample time for planning and completing a house-building program, for selling the houses, for obtaining FHA mortgage insurance or a VA guarantee, and for presenting the mortgages to the FNMA. One-year periods have been used in the past and are usually quite satisfactory from the standpoint of both contracting parties. However, I am receiving information from builders all over the country that the 1954–55 building season was most unusual and that 1 year is not enough time.

One of the chief reasons given is that the volume of business handled by the VA and the FHA was so great in proportion to their work forces that very unusual processing backlogs developed.

Consequently, some builders who have proceeded promptly and diligently in reliance upon the advance purchase contracts now find themselves unable to deliver insured or guaranteed mortgages within the 1-year contract period. For this reason, the Association has been asked to extend these contracts for sufficient time to permit the completion of VA and FHA processing and other procedural details prerequisite to delivery of insured or guaranteed mortgages.

As I have previously pointed out, the Association has the authority to set the terms of these contracts and could grant the extensions which have been requested. The Association has been unwilling to grant these contract extensions. I believe that many builders are experiencing a real hardship, which is not of their own making, and which warrants sympathetic consideration. In this belief, I introduce a bill to provide for the extension of such contracts.

This bill would extend outstanding contracts for an additional year, and would revive certain expired contracts and permit them to run for 1 year following enactment of the legislation. For those contracts which have not yet expired, it gives enough time to overcome the delays enumerated above. For those contracts which have already expired solely because the time ran out, it restores the unused balance of the expired contract and grants 1 year within which to exercise the sales privilege in the amount of the unused balance.

I had hoped that these hardships would be alleviated by administrative action, and I still have that hope. But in the absence of such administrative action, I believe that this legislation is necessary and desirable.

Let me mention a few items of interest in connection with this subject.

Approximately $500 million in contracts have been authorized. As of March 18, 1955, approximately $337.5 million were actually purchased, out of the $500 million authorized.

There were on hand for purchase $23.7 million.

Approximately $20.8 million have been canceled or have expired.

Approximately $118 million in contracts are still outstanding.

This bill would extend that part of the $118 million which would otherwise expire in March, April, May, and June of 1955; and extend that part of the $20.8 million which was not used solely because the time ran out and the FNMA would not grant extension.

Extension of the contracts now outstanding, up to $118 million, would not add a single unit to present housing inventory. These houses are already underway and the bill would merely make good on a financing commitment already made by the Government.

Extension of any contracts already expired, up to $20.8 million, would probably not add any units during the present building season; but would enable FNMA financing up to this amount during the next building season.

The builders who are affected are widely scattered. I have received telegrams and other communications from builders in more than 30 States regarding the matter.

All mortgages are on low-cost housing, much of it for minority races. Private financing is available only at a high discount. That is one of the bad features about it, namely, that the Government does not go through with its commitment. The only hope for these people is for them to dispose of their mortgages at a heavy discount.

The bill will not increase the Government's participation in home financing. The act of 1953 set a $500 million ceiling, and the bill merely enables the Government to proceed up to that amount. This amount is already a contingent obligation on FNMA's books.

INVESTIGATION OF HEALTH CONDITIONS IN COMMERCIAL SLAUGHTERING AND PROCESSING OF POULTRY

Mr. DOUGLAS submitted the following resolution (S. Res. 84), which was referred to the Committee on Agriculture and Forestry:

Resolved, That the Senate Committee on Agriculture and Forestry, or any duly authorized subcommittee thereof, is authorized and directed to conduct a full and complete study and investigation in order to determine whether, in the commercial slaughtering and processing of poultry, any unhealthy or unsanitary conditions exist which might result in the transportation or sale in or affecting interstate commerce of poultry that is in any way unfit for human consumption. The committee shall report its findings, together with such recommendations as it may deem feasible, to the Senate at the earliest practicable date.

SEC. 2. For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to employ upon a temporary basis such technical, clerical, and other assistants as it deems advisable. The expenses of the committee under this resolution, which shall not exceed $, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. CASE of South Dakota:

Address by him on national highway program, delivered at New Orleans, La., on January 12, 1955.

By Mr. JENNER:

Address delivered by him before Indiana State Bottlers Association, Indianapolis, March 14, 1955.

Address delivered by him before National Society of New England Women, in New York, on January 24, 1955.

Statement issued by him in reply to inquiry regarding propriety of debating in colleges the recognition of Red China by the United States.

By Mr. JOHNSON of Texas:

Statement entitled "Michigan Farmers Await Action by Congress To Combat Declines in Farm Income," prepared by Senator MCNAMARA.

By Mr. WILEY:

Statement by him relative to domestic and foreign aspects of the international narcotics problem.

Editorial entitled "Atomic Energy for Peace," published in the World Veteran, New Era, for February 1955, together with masthead of that magazine, showing purposes, and so forth.

By Mr. THYE:

Address by the Secretary of Agriculture on the subject Food Packs and Marketing Methods Developed by Food Retailers, at a demonstration held by the Department of Agriculture this morning.

By Mr. KEFAUVER:

Statement entitled "The Civilian Conservation Corps After 22 Years," prepared by the Legislative Reference Service of the Library of Congress.

THE PARIS PACT

Mr. JOHNSON of Texas. Mr. President, over the weekend an event took place which advanced the cause of the free world and dealt the Communist cause one of its most stunning setbacks in many years.

I am referring to the French ratification of the Paris pacts.

These pacts are an essential cornerstone to the only structure which, in my opinion, holds out any hope of securing peace—an alliance of the free nations. The only alternatives are piecemeal surrender to communism or world war III.

Mr. President, this bright new hope underlines the need for responsibility on the part of all our people. There are some who are talking peace and there are some who are talking war. But we do not want a war party on the American political scene any more than we would want an appeasement party. We do want realistic policies that will secure peace and preserve freedom in the world.

The Paris pacts, of course, are only one step in working out such realistic policies. They represent the key which will unlock the door that thus far has prevented the alliance of free nations from attaining its full strength.

Now that we have that key in our hands, it would be folly to jeopardize our future through an irresponsible adventure for which we have not calculated all the risks.

Mr. President, I am looking forward with high hopes to the White House conferences on Wednesday and Thursday.

The President and the senior Senator from Georgia [Mr. GEORGE], who now occupies the chair, the distinguished chairman of the Foreign Relations Committee and the Democratic Party's most respected foreign-policy spokesman, appear to me to be in essential agreement. Neither has joined a war party, or an appeasement party, if such exists.

These conferences will follow fresh upon the Paris pacts. The President will find that Democrats are ready and willing to cooperate in building a structure which will strengthen the free world and brighten the prospects for the kind of peace we all want.

We are fully aware of the fact that the final decisions which will determine war or peace are the responsibility of the President. We are ready to help him with any advice and counsel at our command. But we are not going to try to take the responsibility out of the hands of the constitutional leader and try to arrogate it to ourselves.

Neither are we going to try to weaken the impact of the Paris pacts by undertaking to divert attention elsewhere. We recognize fully that the problems of peace are complex and that there is no one simple answer.

Mr. President, I was highly impressed this morning by an editorial in the great newspaper, the New York Times, which seems to me to sum up with great clarity the results of the French action. I believe this editorial is worthy of the attention of the Senate, and I ask unanimous consent that it be printed in the RECORD at this point as part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times of March 28, 1955]

FRANCE ACTS

The new Europe, which the best Western minds have projected since the end of the last World War, has started to assume the outlines of reality as a result of the approval of the Paris pacts by the French Council of the Republic. Since the National Assembly has already approved the pacts, the Council's action completes French parliamentary ratification of them, now subject only to automatic signature by President Coty. It thereby removes the biggest road block which wrecked previous projects of that kind, in particular the European Defense Community. It clears the way to final ratification by all the nations involved, including the United States. That ratification can now be expected in short order.

The Council's action is first of all a personal triumph for Premier Faure, who staked the life of his government on the issue, and a vindication of former Premier Mendès-France, who piloted the pacts through the National Assembly. But it is also a victory for France, for Europe, and for the whole free world, which will hail it with relief and gratification.

For these pacts, which create a western European union and expand the North Atlantic alliance to include a rearmed Germany, provide the essential key to an adequate western defense against Soviet aggression. The effect of that will not be confined to Europe alone but will be felt around the globe. Beyond that, they also establish a foundation of European unity on which can be built a political, economic, and military superstructure that should not only prevent further fratricidal wars between the western nations, in particular France and Germany, but might also realize the dream of a United States of Europe able to keep its own peace.

In that sense the French action also represents a stunning defeat for the Soviets, which tried to the very last to prevent ratification by a massive flow of threats and lures. They had already projected their countermeasures by threatening to denounce their wartime alliance with Britain and France, by formalizing the creation of an Iron Curtain "NATO," and by seeking to create a "neutral" zone across Europe resting on Yugoslavia, Austria, and Sweden, which would further divide the Continent. Their search for a rapprochement with Yugoslavia, their invitation to separate negotiations for the neutralization of Austria, and their attention to Sweden all point in the latter direction. But since it will still take 2 to 3 years before the projected German army of 500,000 can join the Western defense system, there is no reason to assume that the Soviets will drop their fight against what they term "German militarization."

Indeed, the outlines of their continuing battle against it are already becoming visible. That battle will be fought in the United Nations Disarmament Commission and its committees, where the Soviets are pressing a proposal to freeze all armaments as of Jan. 1, 1955, which would preclude the addition of German armament. It will also be fought in any new big power conferences—such as Premier Bulganin hints Russia is now willing to accept—where the Soviets can be expected to offer tempting but deceptive concessions in trade for an abandonment of German rearmament.

That is why it is advisable that, before moving toward a Big Four conference the Western powers should get together among themselves and agree on their future policies to defeat any new Soviet maneuvers. Unless there is such solidarity the Paris pacts are bound to fall, and that would leave a worse situation than before. The West, and Europe in particular, have long since been warned to "unite or perish," and that maxim is even more pertinent now than ever in the past.

Mr. MANSFIELD. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. MANSFIELD. I wish to compliment the distinguished majority leader on the statement he has just made. To me it indicates a responsible attitude. I have been worried by newspaper stories which have appeared during the past weekend, to the effect that the country will be in war by April 15. I wonder whether the distinguished majority leader can tell the Senate whether those stories were "planted"; and, if so, by whom; and on what authority they were released.

Mr. JOHNSON of Texas. Mr. President, the first information that came to me, in my capacity as a Member of the Senate, or as a member of the Armed Services Committee, or as majority leader, was that which came from the press. I have received no information concerning the matter from any person in the administration.

Mr. MANSFIELD. Mr. President, will the Senator from Texas yield further?

Mr. JOHNSON of Texas. I yield.

Mr. MANSFIELD. It is my hope that at the meeting with the President, later this week, that question will be brought up. It is also my hope that at the meeting the question of the so-called buildup of the Chinese Communists will be considered, and that any differences which may exist among the Joint Chiefs of Staff will be brought to the attention of the responsible congressional leaders.

Mr. JOHNSON of Texas. I share the hope of the Senator from Montana, and I think he may be assured that that will be done.

Mr. President, I am very hopeful and very optimistic that the White House conference may produce an agreement and a positive program, and may clear away a great deal of the confusion which has resulted from the various statements, made either with or without authority.

Mr. President, at this time I desire to refer to another subject.

The PRESIDENT pro tempore. The Senator from Texas has the floor.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I have a brief announcement to make for the benefit of the Senate: It is our plan to have a call of the calendar today. In the event Senate Resolution 72 is not agreed to during the call of the calendar, I shall later move that the Senate proceed to its consideration. That resolution relates to funds for the Armed Services Committee.

We hope it will be possible for the Senate to take a recess from today until Wednesday. On Wednesday, we expect to have before the Senate the military pay bill, House bill 4720, and the various tobacco bills, Calendar Nos. 107 to 111.

I may add that a short recess will be taken at about 2 p. m., in order that the Senate may receive the Italian Premier, the Honorable Mario Scelba.

Mr. President, it is our further expectation that, either on Thursday or on Friday, we may be able to proceed to the consideration of the Paris Accord, which we hope will be reported by the Foreign Relations Committee.

If we can conclude that by Friday, then we hope we may either adopt a resolution providing for a recess of the Senate from Monday, April 4, to April 13; or if by Friday it is not indicated that that is advisable, at least to give assurance to the Members that, insofar as we can arrange to do so, there will be no important votes during that period.

Later in the week I shall confer with the minority leader.

However, I wish to emphasize that if we do not complete action on the Paris Accord on Thursday or Friday, whenever it is reported, we may have a Saturday session. Of course there will be a yea-and-nay vote on that question.

Mr. THYE. Mr. President, will the Senator from Texas yield for a question?

Mr. JOHNSON of Texas. I yield.

Mr. THYE. The Subcommittee on Military Appropriations of the Appropriations Committee has scheduled hearings commencing April 4. In the event the Senate should take a recess from April 4 to April 13, what would be the plan relative to the Appropriations Committee's hearings which are scheduled during those days?

Mr. JOHNSON of Texas. Perhaps the Senator from Minnesota could obtain a

better answer from the chairman of the Appropriations Committee. I have been informed that several of the chairmen will hold hearings during that period. I cannot speak specifically for the chairman of the distinguished Senator's committee.

Mr. THYE. Mr. President, if I may make a further comment, I wish to state that, in view of the fact that we have not acted on any of the appropriation bills, except the supplemental bills, it would seem to me that for us to take a recess from April 4 to April 13 might jeopardize the allowance of sufficient time to enable the Appropriations Committee to give adequate consideration to all the appropriation items which are before the committee, as well as sufficient opportunity for adequate public hearings.

Mr. JOHNSON of Texas. Mr. President, I may say I do not know how much consideration the distinguished Senator from Minnesota has given the subject; but the majority and minority leaders have given it a great deal. First, I met with all committee chairmen. Second, I met with the minority leader, and suggested that he counsel with the ranking minority Members, or any other Members he might choose to consult. Third, we received reports from all the committees to the effect that, with the exception of the business outlined, the committees do not expect to report any measures which it would be necessary to consider during that period.

The only purpose of this announcement is to indicate that if this arrangement can be agreed to, the Senate will not be called upon to consider measures on the floor of the Senate. It will not in any way prevent committees from holding all the hearings they desire.

Mr. CHAVEZ rose.

Mr. JOHNSON of Texas. Does the Senator from Minnesota desire me to yield further?

Mr. THYE. No. I note that the chairman of the Subcommittee on the Department of Defense, of the Committee on Appropriations, is endeavoring to be recognized. I shall be glad to hear from him.

Mr. CHAVEZ. Mr. President, word has gone out that hearings will be held. Requests and invitations have been sent to the personnel of the Defense Department to appear before the Department of Defense Subcommittee of the Committee on Appropriations on the 4th of April. Acceptances have been received from the Secretary of Defense and several other officials, including the Secretary of the Army, the Secretary of the Navy, and even members of the Joint Chiefs of Staff.

It is not the purpose of the chairman of the subcommittee, or of the subcommittee itself, to complete consideration in 4 or 5 days of an appropriation bill involving $33 billion. However, inasmuch as notices have gone out, it is our purpose, during a period of 3 or 4 days, at least to hear representatives from the higher echelons of the Defense Department.

Mr. THYE. The only reason I asked the distinguished majority leader to yield long enough so that I might comment on the question is that I wish to make the record clear. Members of the Senate or of the House may have been invited to appear before various groups in their respective States. If the Senate were to take a recess, unless it were made clear that committee hearings were to be held, the constituents of some Senators might think that such Senators were not interested in returning to their respective States to see them. They would not be aware that those Senators were engaged in hearings on appropriation matters here in Washington, and were unable to take an Easter vacation.

Mr. CHAVEZ. Mr. President——

Mr. THYE. If the Senator will permit me to finish this thought, I did not wish the people back home to think that we did not want to accept invitations to appear before them and discuss legislation during the period of the recess. If we were free of our responsibilities they would expect us to return home. But if we are engaged in hearings on appropriations, that answers the question as to why we fail to appear in our respective States.

Mr. CHAVEZ. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. CHAVEZ. No one respects the "grass roots" and the people back home more than I do. They have kept me here for many years. Long before there were even any rumors that the Senate would have an Easter recess the Subcommittee on the Department of Defense of the Committee on Appropriations set a date on which to commence hearings. Notices have gone out to representatives of that Department, from Secretary Wilson down. After we learned that there was to be a recess, it was decided that, so long as the notices had been sent out, there was no particular reason, even if the Senate should be in recess, why the Subcommittee on the Defense Department of the Committee on Appropriations should not listen to the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Corps, and members of the Joint Chiefs of Staff during the period of the recess.

Mr. THYE. That was the information I was trying to get into the RECORD. The record is now clear that hearings before the Subcommittee of the Committee on Appropriations will go forward, even though the Senate is in recess.

Mr. JOHNSON of Texas. Mr. President, I hope every Senator understands—and I think most of them do—that the announcement I made on behalf of the minority and majority leaders did not contemplate the cancellation of any committee hearings or any other plans Senators may have involving committee activities.

BIRTHDAY ANNIVERSARY OF SENATOR LEHMAN

Mr. JOHNSON of Texas. Mr. President, I wish to call the Senate's attention to the fact that this is the 77th anniversary of the birth of one of our most distinguished Members, the junior Senator from New York [Mr. LEHMAN].

Few men in our history had had such a distinguished and brilliant career. He has been the friend and confidant of some of the greatest leaders of our times. He has devoted his entire adult life to the service of the American people.

And yet those of us who know the junior Senator from New York know equally well that he is only standing on the threshold of achievement. He is a man with a deep sense of duty who will never give up his struggle for the things he believes are good and right.

Although the junior Senator from New York and I have differed on many occasions, I have never lost the feeling of friendship and respect for him. He is a man who has never made an error of the heart. I wish him a happy birthday and many happy returns.

In this connection, I ask unanimous consent to have printed in the RECORD an editorial from the New York Times summing up the achievements of the distinguished Senator from New York.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OUR OWN JUNIOR SENATOR

New York State's junior Senator, as in strict accuracy he has to be styled, reaches his 77th birthday today. In view of his continued energy after so many years of service to the public the adjective does not seem out of place. HERBERT H. LEHMAN was earning a Distinguished Service Medal as far back as the First World War, when he had charge of procurement for the American Expeditionary Forces; he was twice Lieutenant Governor of this State and 10 years Governor; he carried on the vast transactions of the United Nations Relief and Rehabilitation Administration during and after the Second World War; he has been a Senator since 1950, always to be counted on when a good cause or a good principle needed defense. He has been a successful businessman whose use of his success has been to help the community.

Senator LEHMAN would be long remembered if he had only a half or a quarter of his career on the record. But it is a satisfaction to believe, as well as to hope, that at 77 his work is not nearly done. We give power and credit to youth in this country, as perhaps no other nation has ever done. But we need the mature mind, too, which often goes on growing after the body has begun to weaken and slow down. We need elder statesmen, and we are lucky that we have an outstanding one in our own junior Senator.

Mr. KEFAUVER. Mr. President, I am delighted to have the opportunity to join the distinguished majority leader [Mr. JOHNSON of Texas] in wishing the distinguished junior Senator from New York, on this, the 77th anniversay of his birth, much success and many more useful years.

Senators have come to admire this great man. He is a tireless worker. We know that he has indomitable courage. He stands by his convictions. Although he is a man of considerable means, he has always been interested in the welfare and the future of the small man, the average citizen.

As was so truly said in the second paragraph of the New York Times editorial, which the Senator from Texas placed in the RECORD:

Senator LEHMAN would be long remembered if he had only a half or a quarter of

his career on the record. But it is a satisfaction to believe, as well as to hope, that at 77 his work is not nearly done. We give power and credit to youth in this country, as perhaps no other nation has ever done.

I pay high tribute to the long public career and the character and attitude of this great public servant.

Mr. GREEN. Mr. President, I desire to associate myself with the remarks of the Senators who have expressed admiration for our distinguished colleague, the junior Senator from New York [Mr. LEHMAN], whose 77th birthday anniversary is being celebrated today.

I believe the outstanding characteristic of Senator LEHMAN, which has impressed me, in addition to the attributes which have already been mentioned, is that he embodies as well as preaches real democracy. Therefore he is entitled to the high position he has obtained in the Democratic Party. Moreover, his admiration for and interest in the common man is noteworthy.

Mr. FULBRIGHT. Mr. President, I know that all Members of the Senate on both sides of the aisle join me in extending felicitations and good wishes to the junior Senator from New York [Mr. LEHMAN] today on the occasion of his 77th birthday anniversary.

The public career of HERBERT LEHMAN is well known by all of us. To say that he has rendered distinguished and valuable service to his State and to his Nation is an understatement, for few men in this century have devoted more time and effort to unselfish public service.

The distinguished Senator has always been motivated by high principles. Many men in his circumstances have chosen to live lives of idleness and luxury, but the junior Senator from New York has instead chosen to work tirelessly for his fellow citizens.

I congratulate Senator LEHMAN on this important milestone and wish for him many, many more years of good health and useful public service.

Mr. HUMPHREY. Mr. President, I wish to join other Senators in paying appropriate tribute to one of our most distinguished Members, the junior Senator from New York [Mr. LEHMAN], who is 77 years old today.

Senator LEHMAN'S record of distinguished service to this country is a part of the great history of our times. His brilliant service as Governor of the Empire State of New York is a memorable chapter in the role of State government, and responsible political action. His outstanding service as Director of UNRRA brought him the respect, confidence, and admiration of people all over the world. In the United States Senate he has stood as a champion of the people, particularly and most effectively in the field of civil liberties and civil rights. Likewise, he is an articulate spokesman of an enlightened foreign policy and of domestic programs that would lead to an expanding economy. His rich and extended experience in government plus his qualities of courage, integrity, and vision mark him as a statesman and patriot.

It is a mark of great stature and outstanding ability that Senator LEHMAN has been able through the many years of his very full life to give such noteworthy service to the people of his State and of the Nation. The United States of America is a better and greater Nation because of HERBERT LEHMAN. We salute him for service beyond the call of duty.

The PRESIDING OFFICER (Mr. BARKLEY in the chair). It had been my intention, while the President pro tempore of the Senate presided, to say a few words on the 77th birthday anniversary of the junior Senator from New York. If the Senate has no objection, the junior Senator from Kentucky will proceed to say those few words from the rostrum.

I have known the Senator from New York for many years, first, as a private citizen, then as lieutenant governor of New York, then as governor of New York, then as the administrator of UNRRA, and, for the past few years, as a Member of this distinguished body.

I join with all his friends, without regard to politics, in congratulating him upon reaching his 77th birthday.

I celebrated my 77th birthday in November, and in January or February in this body I had the pleasure of welcoming the Senator from Georgia [Mr. GEORGE] into that fraternity, and now I am glad to join in welcoming into it the Senator from New York.

Some years ago in my home town in Kentucky one of my neighbors and friends celebrated his 100th birthday anniversary. The people were congratulating him and wishing him long life, and one of his neighbors said to him, "To what do you attribute your long life and your mental and physical activities?" The old gentleman replied, "I never smoked, I never drank, I never overworked, I never overate, and I never underslept." The friend said to him, "I had an uncle who lived the same way and he died at the age of 80." The old gentleman said, "He did not stick to it long enough."

I hope that whatever method has succeeded in bringing the distinguished Senator from New York to the age of 77 years will never cease to be effective and that he may not only live many more years, but that he may continue to serve the people of his State and of the Nation in the outstanding manner which has characterized his service up to this time. Without regard to politics, we are happy to congratulate him upon this milestone in his life and public career.

Mr. CHAVEZ. Mr. President, I wish to join with other Senators and with the Presiding Officer in paying tribute to the junior Senator from New York [Mr. LEHMAN]. I may add that I also wish to congratulate the Senator from Kentucky and the Senator from Georgia for having reached the age which they have attained and for contributing to the American way of life in the way they have done.

To me, the Senator from New York is an inspiration. To me, he represents all that is best and that which was intended by the American Constitution to be best. To me, he is the Declaration of Independence itself. To me, he speaks the wisdom of Jefferson and the practical activity of Andrew Jackson. To me, he has the kindliness of Abraham Lincoln. To me, he has the wisdom of Woodrow Wilson. To me, he is carrying on with those things which are best for America.

I think I can say advisedly, Mr. President, that I am a beneficiary of those things that are best for America.

I wish to congratulate the Senator from New York on his 77th birthday anniversary, and I hope the good Lord will vouchsafe to him many more years during which he may continue to counsel and serve the American people.

Mr. NEUBERGER. Mr. President, I should like to extend my good wishes to the Senator from New York [Mr. LEHMAN] on his 77th birthday anniversary. We in the Pacific Northwest particularly appreciate his statesmanship, because, although he lives about 3,000 miles across the country, in a State on the opposite side of the continent, yet he still has evidenced a direct interest in the resources conservation and hydroelectric programs of the Nation, which have done so much to develop the Pacific Northwest. I feel such an interest on his part is a further evidence of the diligence, enlightenment, and great courage which the Senator from New York has shown on public questions. I wish him and his gracious wife much happiness and good health for many years to come.

Mr. MANSFIELD. Mr. President, I should like to join my colleagues in extending felicitations to the junior Senator from New York, the Honorable HERBERT LEHMAN. His long public career has been marked by outstanding ability and great courage, and he has done much in behalf of the people of the State of New York whom he has represented so ably and so well, as well as the people of the United States.

Mr. MONRONEY. Mr. President, I desire to join my colleagues in extending congratulations to the distinguished junior Senator from New York [Mr. LEHMAN] on the occasion of his 77th birthday anniversary.

It has been my privilege to sit next to Senator LEHMAN in the Senate for the past 3 years. I know of no Senator who is more friendly, more helpful, or more conscientious in the performance of his duties.

In addition to our great appreciation of his sincere interest in progress, prosperity, and justice throughout the entire United States, we are keenly aware that his helpful leadership on world affairs has been a potent contributing factor to United States foreign policy.

So it is with great pleasure that I take this opportunity to wish for Senator Lehman many, many more happy and fruitful years of patriotic service to his country.

Mr. SPARKMAN. Mr. President, I should like to associate myself with my colleagues who previously have paid tribute to the distinguished junior Senator from New York [Mr. LEHMAN] on the occasion of the 77th anniversary of his birth. I have always admired the manner in which he has stood fast for the principles in which he believed. Even when one does not agree with him, he is always considerate, tolerant, courageous, and generous.

We in Alabama have a particular interest in the Senator from New York.

The story of the Lehman family is very interesting. When his people first came to this country they settled in Montgomery, Ala., and there engaged in the cotton business. There most of the Lehman children were born. As I recall, a brother and sisters of our distinguished colleague were born in Montgomery, Ala.

Back in the dark, dreary days about the time of the Civil War, times became pretty hard. The cotton business did not always thrive. Be that as it may, the Lehman family—father, mother, and children—decided to move from Alabama to New York. So it happened that the Senator from New York was born in New York rather than in Alabama.

He is a great Senator, a great citizen, and a fine colleague. I congratulate him most heartily upon the attainment of his 77th birthday, and wish for him many more years of happiness and great success.

Mr. MARTIN of Pennsylvania. Mr. President, I wish to extend my sincerest congratulations to the junior Senator from New York [Mr. LEHMAN] on his 77th birthday anniversary.

I have known Senator LEHMAN over a long period of years. He is very much devoted to the public service. Although we do not always agree on politics, I know he is sincere.

I wish to call to the attention of the Senate the fact that Senator LEHMAN is on the Initial General Staff Eligibility List, which was formulated immediately after World War I. The senior Senator from Colorado [Mr. MILLIKIN] is also on that list. I apologize for mentioning it, but I too, am on that list. The three of us have frequently met together, and the fact of our being on the list has been an additional bond which has held us together. We have had some interesting discussions in connection with that work. Incidentally, I should mention the fact that the Chairman of the Board of the Eligibility List was General of the Armies John J. Pershing.

I hope Senator LEHMAN will enjoy many more years of health and happiness.

REPORT ON THE RAILROAD PASSENGER-DEFICIT PROBLEM (S. DOC. NO. 24)

Mr. GEORGE. Mr. President, I ask unanimous consent that the 1954 report of the Special Committee on Cooperation With the Interstate Commerce Commission in the study of the railroad passenger-deficit problem, be printed as a Senate document.

This represents the third year of the study by this independent agency, in cooperation with the Interstate Commerce Commission, and I believe the report contains much pertinent information which will be necessary for consideration in connection with proposed legislation, in the event of the introduction of bills to meet this particular situation.

The PRESIDING OFFICER (Mr. BARKLEY in the chair). Without objection, it is so ordered.

JOHN W. DAVIS—STATEMENT BY SENATOR THURMOND

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the RECORD a brief statement by the junior Senator from South Carolina [Mr. THURMOND] on the death of the Honorable John W. Davis.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR THURMOND

Americans who believe in the Constitution and in constitutional government have lost an outstanding advocate of these principles in the death of John W. Davis. Mr. Davis' record is too well known for me to cite in these few words. He was a great friend of many millions of Americans who never even knew him, because he defended and fought for the rights upon which personal liberty is based. His services to my State, without fee, in the school segregation case will stand as a monument to his integrity and ability.

Our country has lost a profound lawyer, an able statesman, and a true patriot.

MAY DAY—UNITED STATES WAY

Mr. WILEY. Mr. President, I was pleased to hear today from Omar B. Ketchum, national director of the Veterans of Foreign Wars, on behalf of the May Day-Loyalty Day Resolution, now pending before a Senate Judiciary Subcommittee. This resolution, Senate Joint Resolution 58, has been introduced by the distinguished junior Senator from Texas [Mr. DANIEL]. I heartily endorse the joint resolution.

It is completely consistent with the highest patriotic aspirations of the American people in making sure that May Day is never again misused by forces harmful to our beloved country, but rather that it is used as a great occasion for rededication by loyal Americans.

On May 1, 1955, it will be my pleasure to journey to Burlington, Wis., scene of the Nation's foremost loyalty day observance. This year, as last year, I shall address the assembly, at the invitation of Mr. Robert R. Spitzer, of the May Day-United States Way General Committee.

The event last year was one of the finest patriotic observations I have ever witnessed.

I send to the desk excerpts from the article which appeared in the May 2, 1954, issue of the Milwaukee Sentinel as well as excerpts from the article from the May 2, 1954, Chicago Sunday Tribune. I ask unanimous consent that the text of Mr. Ketchum's letter to me and the texts of these newspaper articles be printed in the body of the RECORD at this point.

There being no objection, the letter and articles were ordered to be printed in the RECORD, as follows:

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
NATIONAL LEGISLATIVE SERVICE,
Washington, D. C., March 25, 1955.

Re Senate Joint Resolution 58.

This is to express the interest of the Veterans of Foreign Wars of the United States in the above-captioned resolution to designate the 1st day of May 1955 as Loyalty Day, which was introduced by Senator DANIEL of Texas.

A companion bill on the House side has been reported favorably by the House Committee on the Judiciary, and it is expected that the bill will come up on the unanimous Consent Calendar in the House on Tuesday, March 29, with chances for passage without objections appearing most favorable.

In the 83d Congress an almost identical bill was approved by the House and was reported favorably out of the Senate Judiciary Committee, but unfortunately it came out too late to be called up for consideration in the Senate during the hectic closing hours of that body. You will note that Senate Joint Resolution 58 seeks only to establish May 1, 1955, as Loyalty Day, and unless the legislation is approved by both branches of the Congress and signed by the President well in advance of May 1, the purpose of the bill will be defeated.

It will be deeply appreciated if the Senate Committee on the Judiciary could consider Senate Joint Resolution 58 favorably in the very near future so that with the impending House action assurance could be had that the bill would become public law well in advance of May 1.

Sincerely yours,

OMAR B. KETCHUM,

[From the Milwaukee Sentinel of May 2, 1954]

THIRTY THOUSAND CHEER "MAY DAY, UNITED STATES WAY" AT BURLINGTON—WILEY, McCARTHY TALK AT DAY-LONG LOYALTY DISPLAY

(By Trueman Farris)

BURLINGTON, May 1.—This May Day was one of the finest days in Burlington's history and it was a great day for America, too.

An estimated crowd of 30,000—5,000 more than had been anticipated—lined the streets of this small southern Wisconsin city Saturday to show the Nation and the world what "May Day, United States Way" should mean.

BEGINS WITH PRAYER

The day began with prayer as citizens attended special religious services in all churches.

Then came the bands and floats and marchers in the giant parade lasting nearly 3 hours.

At an afternoon rally at the Burlington High School athletic field, Republican Senators WILEY and MCCARTHY spoke. The day ended with dancing in the streets.

The formal festivities were fine and appropriate, but it was the ordinary American citizen who made this a great day for Burlington and for America.

WE BELIEVE

They came from local business places and surrounding farms to tell the world, "We believe in America and the things for which it stands."

Corny? It could have been had this been a false thing staged by a select few. But it was not. It was a demonstration that truly belonged to the people.

There was something about the way the people waved the flags or snapped to attention when the colors passed by that added up to an inspirational endorsement of the American way of life.

The people lined every available space along the 2½-mile parade route. Some sat on folding chairs or blankets. Others found vantage points on roofs. Many brought lunches and thermos bottles of coffee or lemonade.

CROWD EIGHT DEEP

The crowd stood eight deep in the downtown area. Others watched the 5,000 marchers and 70 floats from second- and third-story windows.

A member of the sponsoring committee reported that the Burlington clergy had promised to say special prayers for good weather. Their prayers were heard. In

spite of a forecast of rain, a bright sun beamed down during the parade and afternoon talks.

An indication of the spirit in which Burlington approached "May Day, United States way" was the float sponsored jointly by the Burlington High School and St. Mary's High School. The float emphasized the Bill of Rights and the significance of a free educational system.

Burlington's streets were crowded with hundreds of cars from dawn until late at night, but 170 auxiliary police and National Guardsmen handled the traffic flow well.

EMPHASIZED PEACE

This, then, was Burlington's idea of what May Day should mean in America. Instead of the violence and bloodshed of other May Days, this was a holiday that emphasized peace and the dignity and rights of man.

A sign hanging over the door of a private home along the parade route told the story in a nutshell. The sign read: "Welcome, fellow Americans."

That was the philosophy behind Burlington's May Day. That's the way it was at "May Day, United States way."

[From the Chicago Tribune of May 2, 1954]

TYPICAL CITY STAGES MAY DAY, UNITED STATES WAY

(By Robert Howard)

BURLINGTON, WIS., May 1.—In a history-making demonstration of Americanism, Wisconsin today helped Burlington, a typical American city, to celebrate May Day, United States of America, as a symbol of repudiation of communism.

May Day is the traditional revolutionist holiday in Russia, once an annual date for violence, bloodshed, and attempted revolts.

Burlington's May Day was a 2½ hour parade. The 5,000 participants outnumbered the city's 4,800 population. Police estimated 30,000 persons lined flag-draped streets to watch the march.

TWO SENATORS SPEAKERS

The parade, over a mile and a half route, was led by the Fifth Army band. Following were bands and drum corps, big and little, from Marquette University, high schools, veteran organizations, and community groups. Also in the line were marching units and floats decorated on the theme that Americanism is worth protecting.

Later a mass meeting heard Wisconsin's two United States Senators, MCCARTHY and WILEY, both Republicans.

THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that at the conclusion of the morning hour, the Senate may proceed to the consideration of the Legislative Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas subsequently said: Mr. President, I ask unanimous consent that the unanimous-consent agreement regarding the call of the calendar be modified to provide that following the speech of the Senator from Montana [Mr. MANSFIELD] the Senate proceed to the consideration of the bills on the calendar.

The PRESIDING OFFICER. Without objection, the agreement will be so modified.

AMERICAN FOREIGN POLICY

Mr. KNOWLAND. Mr. President, I ask permission to proceed for not to exceed 3 minutes.

The PRESIDING OFFICER. Without objection, the Senator from California may proceed.

Mr. KNOWLAND. Mr. President, I was somewhat at a loss to understand the reference made by my good friend and colleague, the majority leader [Mr. JOHNSON of Texas], in his remarks earlier today with reference to a so-called war party. I know of no war party in the United States. I know of no war faction in the United States——

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield for a question?

Mr. KNOWLAND. I cannot yield at this time.

Mr. JOHNSON of Texas. But the Senator has, I think, misquoted my statement.

Mr. KNOWLAND. I shall be glad to yield later.

Mr. President, I am not an old man. I expect to celebrate my 47th birthday in June of this year. During that relatively short lifetime our country has been engaged in World War I, World War II, and the Korean war.

It so happens that those three wars were fought under Democratic administrations. I served in World War II, and as a Member of the Senate I supported the stand taken by the Democratic President of the United States in resisting Communist aggression because I felt it was necessary for the free world to stand firmly against Communist aggression.

Mr. President, we should have learned by this time that the road of appeasement is not the road to peace, but is surrender on the installment plan.

I ask this question, which I think is one the Congress and the country will have to answer: After having taken a firm stand in the month of January of this year by passing the Formosa resolution by a vote of 410 to 3 in the House and a vote of 85 to 3 in the Senate, are we to be placed in the position of marching up the hill and, as soon as there are some dire Communist threats, marching down again in the face of those threats?

Mr. President, are there any who would condemn to perpetual slavery behind the Iron Curtain the people of Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, Latvia, Estonia, and Lithuania, nations which lost their freedom through no fault of their own; who lost it because of certain wartime agreements or by aggressions by Communist Russia?

Is a proposal to be made to welcome into the United Nations Communist China, a nation which has inflicted 140,000 casualties upon our Armed Forces, including 35,000 dead; a nation which admittedly now holds 15 American airmen, contrary to the armistice terms, and which, there is strong reason to believe, is holding several hundred other U. N. prisoners, including Americans?

Is the proposal to be made that we turn over to the Chinese Communists more of free Asia, regardless of the consequences to the free peoples of Asia?

No, there is no war party, and there is no war faction. But I think there are Members on both sides of the aisle who desire our policy to be not one of peace at any price, but peace with honor.

Mr. JOHNSON of Texas. Mr. President, I had hoped the Senator from California would yield to me, because we had a similar experience the other day.

I now ask unanimous consent that I may proceed for not to exceed 1 minute.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Texas may proceed.

Mr. JOHNSON of Texas. If the minority leader read into my statement a declaration that a war party existed, and that anyone was leading such a war party, he did not read into it what I said.

I said that the people of the United States, in my opinion, do not want a war party, nor do they want an appeasement party. I said that we looked forward with optimism and hope to the possibilities of a positive program for peace.

If the distinguished minority leader interpreted my statement as meaning a proposal to welcome Communist China into the United Nations, he goes far afield of anything the majority leader said. I conclude by saying that I think we speak for all the people when we say that they prefer peace to war; and if, when we say that, we find others in disagreement, then, if the shoe fits, let them wear it.

FARMERS' ECONOMIC PLIGHT

Mr. NEUBERGER. Mr. President, the farmers are still in a recession, and their plight recalls the 1920's, when agriculture slumped long before the big depression. The farm problem is worse now, and bigger trouble lies ahead.

The farmers' share of the national income is at its lowest point in history, and has been steadily declining under the policies of the present administration. In a series of excellent charts and graphs accompanying an article on the subject published in the U. S. News & World Report, it is indicated that the farmers' share of the national income has dropped from 9.4 percent in 1951 to 7.2 percent in 1954. This represents a drop in farm income during the last 2 years from $23 billion to $20 billion. Prosperity is leaving the farmer behind under the policies of the present administration. The drop in farm income and the farmers' share of the national income from 1951 to 1954, under the policies of the present administration, has been more rapid than in any period since the end of World War II.

The farmer is squeezed between high costs for the things he buys and low prices for the things he sells. Another chart from the U. S. News & World Report indicates that the prices farmers paid and the prices farmers received in 1952 stood at an even balance, while today, on the parity scale, the prices farmers pay stand at 283, while prices farmers receive for their produce stand at 243. Since 1952, under the present Eisenhower-Benson farm policies, the gap between what the farmer must pay for the goods he buys and the prices farmers are receiving for their produce has been ever widening. According to the chart, prices farmers pay and the

prices farmers receive stood in balance in 1952, and today the imbalance against the farmers is the greatest since the end of World War II.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD an excellent article from the pages of the U. S. News & World Report for March 25, 1955.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHERE TIMES ARE GETTING HARDER

Farmers still are in a recession, while other people prosper.

Their plight recalls the 1920's, when agriculture slumped long before the big depression.

This shows that the farm problem is worsening now, that more trouble lies ahead.

One major industry affecting many millions of people is not sharing in the Nation's business recovery.

This great exception is agriculture.

Farmers are getting less for their crops. They are being forced to grow less. Their costs are high. Their incomes are shrinking.

Last year, farmers had the smallest share of the national income on record—7.2 percent, as shown in the chart on this page.

As yet, there is no solution in sight for their problem. Time and again, Government officials have sensed a change for the better. At times, prices strengthened. But, each time, the improvement proved momentary.

Thinking back to the 1920's, some economists now are wondering if this long-continued trouble in farming may not prove to be a serious weakness for the Nation as a whole. History, especially in the twenties, shows that, when farmers suffer over a long period, other business is likely to be hit.

Millions are affected: Farmers today are a smaller group but still big enough to have an impact. The Government figures there are about 21 million people living on farms, and about 31 million more in rural areas closely tied to the farm. Thus, nearly a third of the Nation is affected by a drop in farm income.

Farm net income was about $12 billion last year. That figure makes an allowance for expenses, taxes, and value of home-grown food and feed. Farmers got 40 percent more in their best year, 1947. Thus the drop, from peak prosperity, has been great, though most farmers still are much better off than before World War II. The drop in 1954 from 1953 was 10 percent.

The Government had expected the drop from 1953 to be about 6 percent.

Now, a further drop of about 4 percent, to 11.5 billion, is being forecast, unofficially, by the Federal experts for 1955.

What's the trouble? Behind the farmers' plight are two big factors: price weakness and heavy surpluses.

Farm prices just haven't leveled off the way the Government and many private economists thought they would. Right now, in a time of great business strength, farm prices have been showing weakness.

Cotton in rural areas, a short time ago, sold for slightly less than the Government price support.

Farmers are selling wheat at a discount of about 14 cents a bushel from the price support, corn at a discount of 27 cents, rye at a discount of 31 cents.

Hogs are the cheapest since 1949. Cattle prices are up from last year's lows, but have lost ground recently.

Supplies are so big that, unless there is a war or some other calamity, real strength in prices can't be counted on soon. Farmers will produce less. But consumers will have plenty of meat, flour, fiber, eggs, poultry, dairy products, just about everything the farmer grows.

The supply of wheat on July 1 is expected to be about 975 million bushels. That is more than the United States uses in a year, and three times the normal carryover, as the Government figures it. And a new crop is coming.

Corn at the start of the growing season this year is estimated at 918 million bushels, already on hand. That's a third of what is used in a year. And a whole new crop is about to be planted.

Before the 1955 cotton crop is picked, the United States will have on hand something like 9.8 million bales of old cotton.

Effect of acreage cuts: The Government hopes to hold production on new crops to less than the normal year's use, thus reducing the huge surpluses. But the surpluses will shrink little, the economists say, unless there is a crop failure. Big supplies still will be handling over the market at the end of this year.

But acreage cuts will mean this to the grower: less income. Wheat farmers of the Great Plains will be sowing about 30 percent less than they did 2 years ago. And what they reap brings a lower price.

In Southern States, cotton acreage has been reduced by more than 27 percent since 1953. Here, too, farmers are feeling the cuts.

Meanwhile, farmers expect to raise more pigs this year than last. That keeps the price low but holds volume up. Cattle on ranges and farms also are more numerous than they were a year ago, the Government says.

For those who sell livestock, big volume helps offset low prices. Still income declines.

Most farmers will have less coming in.

Expenses hard to cut: They'll be trying to cut expenses. So far, this has proved difficult. Since 1951, cash received by farmers has diminished by $2.8 billions a year; production expenses have declined only half a billion.

Feed costs less. But feeder cattle cost more; cost of animals purchased for fattening early this year has risen more than has the price of fattened steers.

The big corn-hog producer figures his costs at 12 cents per pound of hog; he gets about 15 cents. The 3-cent margin has to pay for his own work, his investment and family expenses.

Fertilizer is costing less than last year. But seed to be planted on land taken out of corn and wheat has become more costly—especially grass seeds, clover and alfalfa seed.

Farm wages are down. The farmer is buying less machinery than he did when he felt more prosperous. But family needs are more expensive. And taxes are rising.

Farmers have gone deeper into debt. The Government says mortgages on farms increased by 7 percent last year. Interest payments on mortgages are increasing.

The overall result is shown in the chart: Farm costs per unit of crop have inched up for the last 2 years despite efforts to cut down.

Getting by: What the broad figures don't reveal is the wide differences in the fortunes of different types of farmers. Hard hit are wheatgrowers on the Great Plains who haven't much choice but to grow wheat, or cotton farmers tied almost entirely to cotton and lacking latest equipment. Small farms without machinery feel a real pinch.

Less hurt is the medium sized Midwestern farm that is well equipped and versatile. It still supports the family, with some profit, though the profit is smaller than before. There is more leeway to meet hard conditions.

Distress would be greater except that many have moved off the land in the last decade. A smaller income is being shared by fewer farmers. Those who remain are more efficient.

Even so, they feel the pinch. As consumers, they are not able to buy as freely as last year; they share the lowest income since World War II. When most other people are feeling well off, farmers get no lift from the business boom.

TIDELANDS OIL LEGISLATION

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the RECORD an excellent editorial published in the Medford Mail Tribune of March 17, 1955.

To those who argue that the tidelands oil giveaway several years ago amounts to nothing, it is worth pointing out that California, as one of the favored four States, hopes to get $2.5 billion in revenue that should belong to all the people of the United States, and could be used to light the lamps of education. The Federal Government is getting only 16 or 17 percent of the revenue, while the four lucky States are getting billions of dollars.

The excellent editorial by Robert W. Ruhl, editor of the Medford Mail Tribune, points out the great loss of revenue to Oregon and to the United States. Mr. Ruhl is a former winner of the Pulitzer Prize for excellence in editorial writing.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NO GIVEAWAY?

It is now being claimed that the tidelands oil bill was not a giveaway because a "major portion" of the profits therefrom are going, not to the oil companies, but to the Federal Government.

At the same time it is admitted the Government gets only one-sixth of the profits, on a royalty-lease basis to the private companies.

This appears to be another case wherein figures don't lie, but liars figure.

Since when has 16 or 17 percent of a sum represented a "major" and 83 to 84 percent a minor portion?

Someone should take a refresher course in primary arithmetic.

In the same quarter it is now being stated there was no giveaway because the tidelands oil profits going to the lucky four States have to date been "disappointing."

How have they been disappointing?

This will be news to John M. Pierce, finance director of one of the lucky States—our plutocrat neighbor, the other side of the Siskiyous—California.

He predicted only a few days ago California may be able to realize as much as $2.5 billion in oil royalties by permitting offshore oil drilling.

This would be based upon a 35-percent instead of a 17-percent royalty. If the State of California can count on a profit like this, how about Texas, not to mention Louisiana and Florida? Where is the disappointment? How much is enough?

The contention of Senator MORSE and others was the offshore oil (not within but out beyond the legal 3-mile limit) did not belong to three or four abutting States but to all the States—to the American people, as a whole.

And the profits therefrom should therefore go to all the people, not to few lucky States. This view was sustained in principle by the United States Supreme Court.

Of course the cry of "socialism" was raised. But there was no socialism involved. There was no idea of having the Government itself pump the oil and sell it.

The idea was to have the control and ownership in the hands of the Government, just as the Continental Shelf is Government property today. Then leases for operation favorable to the Government, could be granted and the profits from same distrib-

uted on a fair and equitable basis, to all the States instead of only four.

But the big giveaway proposal succeeded. The four big States and the big oil companies won.

The somewhat amusing feature is that now those who supported the giveaway are trying to prove it wasn't anything of the sort, because the four States, they claim, haven't cashed in as much as expected and on some of the lands the Government is getting more—a cut of 16 to 17 percent from the private operators.

Where is the evidence of this?

Isn't $2,500,000,000 probable profit for the State of California and approximately $4 billion to the private oil companies operating in that State, a fairly good return on the investment—particularly when the investment consisted not of money so much as political manipulation, skillful lobbying, and the usual wirepulling in important Government places?

It looks like quite a giveaway to this department.—R. W. R.

AMERICAN COMMITTEE FOR PROTECTION OF THE FOREIGN BORN

Mr. EASTLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement which I have prepared with reference to delegations purporting to represent the American Committee for Protection of the Foreign Born, or its local subsidiaries.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR EASTLAND

The attention of the Senate Internal Security Subcommittee has been called to the fact that delegations purporting to represent the American Committee for Protection of the Foreign Born, or its local subsidiaries, are visiting the offices of Senators in behalf of certain recommendations regarding immigration legislation. For the information of any of my colleagues who may not know it, I want to point out that this organization has been cited as subversive and Communist by Attorney General Tom Clark in letters to the Loyalty Review Board released June 1, 1948, and September 21, 1948.

Abner Green appears on the literature of the American Committee for Protection of the Foreign Born as its executive secretary. When Abner Green appeared before the Senate Internal Security Subcommittee on June 22, 1954, he invoked his privilege under the fifth amendment in refusing to answer the following questions:

1. As to his being the executive secretary of the American Committee for Protection of the Foreign Born.

2. As to his being served with a subpena addressed to Abner Green, alias Abraham Greenberg.

3. As to his past or present membership in the Communist Party.

At that same hearing, on June 22, 1954, Mr. Green expressed his opposition to provisions of the McCarran-Walter Act, also known as the Immigration and Nationality Act of 1950, which tighten up on the admission into this country of Communists. Mr. Green also expressed his opposition to the Internal Security Act of 1950.

The PRESIDING OFFICER (Mr. MONRONEY in the chair). Is there further morning business? If not, morning business is closed.

JAPAN: NEXT CRISIS IN ASIA

Mr. MANSFIELD. Mr. President, the past 10 years might well be termed the decade of crisis diplomacy. Those charged with the conduct of foreign relations, particularly in recent times, seem to be involved in a continual race against time. No sooner do they catch up with one crisis when another looms on the horizon and they are off again in hot pursuit. Trailing close behind them is the lengthening shadow of the atomic annihilation of civilization.

It is inevitable in international relations, no less than in human relations, that difficulties may sometimes arise suddenly and unexpectedly. One of the principal functions of an effective foreign policy, however, is to reduce such occurrences and to minimize their shock.

In this respect foreign policy is something like flood control. We take measures to make a Mississippi or a Missouri less dangerous to the Nation. We heed the storm signals along the rivers and act to protect the valleys from the rising waters.

By the same token, foreign policy should serve to safeguard the Nation from perilous trends abroad. For the most part crises do not arise without warning. The danger signs can be seen long before a situation becomes acute. In more recent years, nevertheless, crises have often been permitted to creep up on us and strike suddenly. Each shock of this kind adds to the sense of futility which alreadys grips many people in this country when they try to understand the international problems of the Nation.

I believe the citizens of the United States are willing to face these problems, but they must know what it is they have to face. As it is now, they are confronted one day with the threat of war and the next with the promise of peace. The cycle of alternating threat and promise serves only to spread confusion and uncertainty in this country. This is a weak base on which to build support for the measures the United States must pursue in its relation with other nations.

The people have a right to something more than a hand-to-mouth foreign policy, just as they have a right to expect more than that kind of existence at home. They have a right to be kept fully and soberly informed on gathering difficulties before, not after, they reach the crisis stage. And they have a right to know whether everything that can be done is being done to minimize such difficulties.

Considerations of this kind lead me to return to a subject which I raised initially on the floor of the Senate on August 13 of last year. Members of the Senate will recall the state of our foreign policy at that time. The Nation had been caught off guard by a crisis in Indochina engendered by the Geneva Conference, and by another in France over the EDC.

It was necessary to deal with the immediate problems growing out of these two situations, and they were dealt with, by the Southeast Asia Pact and by the London-Paris accords. These devices, for all their merits, however, served only to pick up the pieces. They did little to catch up with rapidly moving developments either in Europe or Asia. In my remarks last August I pointed out that—

The tide of international affairs is flowing on in the aftermath of Geneva to new crests elsewhere on the globe to areas which in the next few months may become keys of decision in the struggle to turn back the drive of totalitarian communism. These areas are Germany and Japan.

In the months since last August, however, our foreign policy has largely ignored those two key areas, particularly Japan. The difficulties inherent in them now are rapidly closing in on us.

Today, therefore, I desire to redirect attention to one of these key areas—to Japan. If we are not to face another crisis in that area, then it seems to me of the highest importance that we review the situation respecting that country without further delay. If we are ever to get out of the straitjacket of crisis-foreign policy, we must look beyond the immediate, and prepare now to deal with what lies ahead.

We cannot, of course, ignore the pressing situation in the Formosan Straits. But no one seems to know at this time what will happen there. The American people do not know. The Senate does not know. I doubt whether even the President knows. We have been told by the executive branch, not once but many times, that developments in that area have been left to the Chinese Communists.

Regardless of the outcome of the Formosan crises, however, developments in Japan are of the greatest significance to the United States and to all countries with interests in the Western Pacific. There is not likely to be a peaceful settlement in the Far East unless Japan is a party to it. Nor is there likely to be a major war in that part of the world into which the Japanese will not inevitably be drawn.

Japan, in short, is a key to war or peace in the Far East. Yet in all the statements and press releases issued by the executive branch in recent weeks the Japanese have gone virtually unnoticed. If they are mentioned at all, it is usually in an historical sense. It is as though these 90 million people in the core of the Western Pacific had sunk into a hole in the sea.

Japan has not disappeared. The Japanese islands are still with us, and—beyond Formosa, beyond Korea—they are the real objective of any aggression originating on the Asian mainland. They are the natural target because they contain the greatest concentration of industrial plants and industrial skills in Asia, and that concentration includes the capacity for developing atomic energy. Japanese technical power welded to Chinese manpower and resources could raise the power of Asian communism enormously in a relatively short time. I hardly need point out the towering threat that this combination would represent, not only to Alaska, the Philippines, Australia, or New Zealand but to the American continent itself.

That is one prospect in the Japanese situation. It is not the only one. It may be that instead of trending toward war events in the Far East will move away from war. It may be that the cease fire in Korea and the cease fire in Indochina are preliminaries to a similar truce in the Formosan Straits. If that

is the case, then the three points of military contact between the Communist and the free nations in the Western Pacific will have been stabilized and the stage will have been reached when a general settlement in that region would become possible.

In that event, the situation in Japan will be of inestimable importance. In peace, no less than in war, the 90 million Japanese are a decisive factor. They have much to contribute to the building of the conditions of peace in Asia. The energy generated by their intelligence, their skills, and their industriousness must find a constructive outlet of this kind or it will surely discover a destructive one. The Japanese can go forward with other nations in peaceful progress or they can turn off again on the road to renewed conflict. The only path not open to them is that which leads back to the age of exclusion.

Before Japan drifts into the decisions from which there is no returning, before the die is cast for war or peace in the Far East, it seems to me essential that we ourselves comprehend fully our objectives in that region. It is also essential that we express these objectives through our foreign policy with a clarity and an affirmativeness that will be understood by friend and foe alike. It is too late for that in Korea. It is too late for that in Indochina. It is too late for that in Formosa. We have drifted in all of these regions until they have now become areas of crises, and they are being dealt with by a crisis-foreign policy.

It may still not be too late, however, in Japan.

This country's interests, as I understand those interests, would best be served by a situation in which an independent and self-supporting Japan lives in peace in the midst of independent and self-supporting Asian nations. That kind of a situation would contribute enormously to the security of the United States and all countries with interests in the western Pacific. It would permit trade and scientific and cultural relations to flourish, with consequent benefit to us, as well as to others. It would provide an atmosphere in which the concept of human freedom can survive and grow in the Far East.

We may not be able to achieve these objectives next year, 5 years from now, or 50. But let us at least keep in mind what they are. Let us know where we are trying to go, before we set out.

What is of the greatest significance in these American objectives of security, trade, freedom, and scientific and cultural exchange is that they need not conflict with the real interests of the Japanese people, those of the Filipinos, or those of any other peoples in the western Pacific, including those of the Chinese people, as distinct from those of their masters. Our national interests are in harmony, not in dissonance, with those of all peoples in the Far East, except a small, power-drunk minority. That minority of arrogant would-be conquerors has kept the region in turmoil through the past decade. They have exacted a vast tribute of human suffering and material sacrifice to feed their ambitions.

With that minority, wherever it may raise its head in the region, there can be no compromise of principle, nor need there be. So long as it is clear that our national objectives are in accord with those of the people of the area, we shall not lack allies in this struggle, whether it lasts 1 year or a hundred, whether it is peaceful or violent.

It is one thing to define objectives. It is another to achieve them. We cannot will our objectives into being by the wave of a wand. We cannot buy them into being. We cannot talk them into being. We cannot bomb them into being.

Mr. President, we can only work steadily to bring them into being. Even in this approach, there is a limitation. Enormous historical forces—some ancient, some modern—are present in Asia. Nationalism, democracy, religion, Marxism, technological development, population pressures, and many other influences and forces move throughout the region in obscure patterns. Responsibility for creating circumstances of peace and progress in the Far East out of the interplay of these forces rests in the first instance with the people of each Asian nation; and, beyond them, with the region as a whole. The amount of lasting influence which this country or any other country outside the region can exert by foreign policies alone over the flow of events in Asia is far less than that which we exercise over a Mississippi or a Missouri. Our foreign policy, whether it involves military, economic, or diplomatic measures, has a role to play in this situation; but it is, at most, a peripheral role.

But just as we do not abandon flood control because the rivers are not easily tamed, so it is that we cannot abandon our legitimate objectives in the Far East; for we shall either work with others for the ends of common security and progress in the western Pacific, for a peace of freemen, or we shall work much harder merely to save our skins when some new crisis finally flows over the flood stage into a great new war.

Those are the alternatives before us. If the American people know the facts, if their leadership is genuinely positive, there is little doubt as to the choice.

Some of the most important of these facts concern Japan. They must be faced bluntly, and they must be faced now.

Since the end of World War II, the Japanese people have moved a long way from the repressive institutions which led them into that disastrous conflict. Strong forces for peaceful, democratic progress are now working inside Japan. This does not mean, however, that the Japanese people are permanently free of the dangers of aggressive totalitarianism. It would be delusive for them, as well as for ourselves, to assume that they are. A new totalitarianism could be induced in Japan either by Asian communism from the mainland or by regressive forces within Japanese society itself or by a strange alliance of both.

Under the occupation, this country did much to encourage the growth of free and peaceful institutions in Japan. The Japanese Peace Treaty, negotiated by the present Secretary of State under the previous administration, was an admirable attempt to consolidate those gains.

The occupation and the treaty on the whole were actions of an America which, with restraint and dignity sought to contribute to the development of a situation of mutual benefit to all in the Far East. Their effects will not easily be lost on the Japanese people. They will weigh heavily in the balance of the future of Japan.

Will they be sufficient, however, to tip the balance toward peace and progress in Japan? Do they offset the alternating attraction and fear engendered by Asian communism across the China Seas? Above all, are they adequate to allay the threat of hunger which hangs over the Japanese people?

It does little good to set a man free, if the door to elementary survival and development is shut in his face. And what is true of men is in many ways true of nations. That is the first reality which must be faced with respect to the Japanese situation.

Within Japan, measures can be taken which will go a long way toward dealing with this problem. I do not propose to catalog the ills that beset the Japanese economic structure and their remedies. That is hardly the function of the Government of the United States, let alone of the Senate. The Japanese know what the ills are; they have expounded at length in the public press and in the Diet on the inequities and inefficiencies which result from them.

The initiative, the leadership in correcting these ills must come from within Japan itself. This country cannot presume to supply it, nor can any other country. To attempt to do so would simply result, as it has elsewhere in Asia, in the expenditure of vast sums with little tangible accomplishment.

There are other aspects of the Japanese situation, however, with which in concert with other nations we must deal if there is to be peace in the Far East. To put the problem bluntly, the Japanese people must fish and trade abroad on a vast scale if they are to sustain themselves in a tolerable fashion. They have been able to do neither adequately since World War II.

Important fishing grounds off the North Asian coast have been closed to them by the policies of the Communist countries and Korea. Their trade with the Asian mainland, once a mainstay of their economy, has been reduced almost to insignificance. Their commercial relations with Southeast Asia and the rest of the world hardly begin to meet their needs.

In the past 10 years, the margin between survival and starvation for millions of Japanese has been provided largely by the United States. Billions of dollars have been made available in direct aid or by purchases in connection with the Korean conflict and defense requirements in the western Pacific.

Outlays of this kind are palliatives, not cures. A lasting solution to Japan's economic dilemma, as I mentioned before, depends in part on actions which can be taken only by the Japanese them-

selves. It also depends in part on the policies and attitudes of other nations, particularly those with a vital stake in the Far East.

I raised this question in my remarks in the Senate last August in these terms:

Unless concerted steps are taken * * * where are the Japanese to turn for survival? There is no reason to assume that they will not turn away from the present alinement with the free nations. There is no reason to assume that they will not veer toward Communist China, toward the Soviet Union, or both.

To the best of my knowledge, concerted steps have not been taken. Is it any wonder, then, that the new Japanese government under Premier Hatoyama has come to office largely on a platform of "normalizing" relations with the Asian mainland?

If the Communist countries seek to weaken the ties which presently hold Japan to freedom, they are not without resources to achieve this objective. Trade inducements can be offered particularly with respect to the Soviet Maritime provinces, Manchuria and North China. There are fishing and other concessions which could be made in and around Sakhalin and the Kuriles. Rice, coal, and other resources can come from Northern Vietnam.

How shall we deal with the situation in Japan? With more crisis-foreign policy? With millions in new aid? By a competition of concessions with the Communist countries for Japan's favor? Our national interests have been obscured time and again by ill-conceived negative measures of that kind.

When I spoke on this subject last year there was still ample time to provide leadership to the free nations in developing common policies respecting Japan. Months have gone by, and little appears to have been done. We have drifted and drifted, only to find ourselves back once again at Yalta. The needle of the political compass apparently can direct us to no other point on the globe.

And while we are constantly beckoned backward in this manner, events have moved forward in the Far East. Japan is now on the verge of transcendent decisions which will move the balance in Asia toward peace or toward war. Other nations, including our own, cannot evade partial responsibility for the manner in which these decisions are made.

I do not know whether the Japanese will choose the path of peace. The foreign policies of this or any other country cannot force or bribe the Japanese into peace, the peace of free men. That is a decision which they themselves must make.

What we can do, what positive policies in the Far East will do, is to work to make possible a Japanese decision for peace. Such policies, if they are to be effective, must come to grips with two realities in the Far Eastern situation—the vital political and strategic position of Japan in the Western Pacific and the the serious economic plight of the Japanese people. There is still a third reality, and it, too, must be recognized: The bitter remembrances of peoples who were overrun by the Japanese militarists in World War II, and the fear and suspicions which these remembrances engender.

There are many tangible ways in which these realities of the Japanese situation can be translated into positive action for peace. Let me point out some of them, by way of illustration. These illustrations are in part incorporated into our official policy and in part they are not. In any event, it seems to me that a positive foreign policy on our part would seek to obtain the widest possible international agreement on these points:

First. Immediate admission of Japan to the United Nations.

Second. Territorial adjustments along Japan's borders.

Third. Japanese participation in any international conference for the general settlement of Far Eastern problems.

Fourth. Japanese access to fishing grounds open to them before the war, on a responsible and equitable basis.

Fifth. Encouragement of a regional investment pool in the Far East with full Japanese participation.

Sixth. Encouragement of the use of Japanese skills in the technical assistance programs of the Far East.

Seventh. Convening of a series of Far Eastern conferences to deal frankly and realistically with the related problems of Japanese reparations and freer trade within the region, and similar issues, the solution of which will make possible a self-supporting Japan in a self-supporting Asia.

These courses of action, as I pointed out, are illustrative only. I do not know if all or any of them are practicable at the moment. Only the executive branch which is responsible for the conduct of foreign policy is in a position to know that. I believe, however that action along the lines I have outlined is essential if we are to forestall a crisis in Japan and the crisis-foreign policy which will inevitably follow. Such action can help to create a situation in the Far East which will serve our national interests as well as the interests of Japan and other nations.

Mr. President, it is not our responsibility alone to act in the present situation. It is not Japan's alone. It is the common responsibility of all nations which really desire peace and progress in the Far East.

Mr. President, in connection with this speech I ask unanimous consent that a number of articles from newspapers, magazines, and periodicals of various kinds be printed in the RECORD at this point as a part of my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune of March 25, 1955]

JAPAN PREMIER MAY ASK UNITED STATES TO RETURN OKINAWA

TOKYO, Friday, March 26.—Premier Ichiro Hatoyama told the Diet (Parliament) yesterday he favors negotiations with the United States for the early return of the big American air base island of Okinawa.

The United States has made clear, however, that it intends to stay on Okinawa—one of the key islands in the far Pacific defense ring—until conditions settle down in the Orient.

Mr. Hatoyama, facing questioning in the New Diet, said he also would like the negotiations to embrace the Bonin Islands, about 600 miles southeast of Japan.

CAPTURED IN WAR

American forces captured Okinawa and the Bonins in World War II.

The pro-American Liberals demanded to know whether Japan also will seek return of the Russian-held Kurile, Habomai and southern Sakhalin islands north of Japan. Mr. Hatoyama did not reply.

The Premier declared, however, that Japan's basic policy of friendship with the United States would not change, although he hopes to restore normal relations with Russia.

SOME RETURNED

The United States late in 1953 returned to Japan the Amami O Shima group in the Ryukyu Islands, of which Okinawa is a part.

At that time, Secretary of State John Foster Dulles announced that American possession of Okinawa and other strategic islands in the area will continue "for the foreseeable future."

Presumably, this would include the Bonins. They lie just to the north of Iwo Jima, an American base on the air route from Guam to Japan and Okinawa.

[From the New York Times of March 23, 1955]

FOREIGN AFFAIRS: THE CHINA TRADE AS SEEN THROUGH JAPANESE EYES

(By C. L. Sulzberger)

OSAKA, JAPAN, March 27.—Japanese policy shows definite signs of becoming both more nationalist and more neutralist. In other words, our influence is waning. Tokyo has already set about the business of trying to arrange its own relationships with the great Communist powers, Russia and China.

Such trends are natural a decade after the war. Communist propaganda has been harping upon the need to do away with American bases and to ban all nuclear weapons. This meets with some success as Japan develops a more independent mood. But the nation is not so likely to be influenced by patent slogans as by business considerations. For Japan, with its immensely crowded territory, its straitened postwar economy and heavy reliance upon shrinking American aid, feels it must develop new markets. The nearest at hand is across the narrow seas in China.

NATION RELIES ON TRADE

Already official attitudes toward Peiping are changing. Foreign Minister Shigemitsu told me in Tokyo: "Legally we have no relations with the Communist Chinese, but nevertheless we have to treat them as a force." He admitted that Peiping has been making private soundings on diplomatic recognition. This was implicitly acknowledged de facto by issuance of visas to a Peiping trade delegation as representatives of the Peoples Republic of China.

Bustling Osaka was the prewar manufacturing center of goods for China, Manchuria, and Korea. It hopes desperately that trade can be raised again from its present miserable level of 1 percent of Japanese foreign commerce. Steel industrialists point out they now must buy coking coal in West Virginia instead of Manchuria and sell girders in Buenos Aires, not Shanghai. So far, thanks to skillful budgeting and a checkrein on shipping costs, they manage to make do. But there is doubt whether this can continue. And, as virtually everybody tells you sooner or later Japan must export or die.

NO TARIFF CONCESSIONS

The economy of this island nation depends on imports for a fifth of its food and most raw materials, and relies on exports to pay for

them. Therefore, if supply sources and markets can be brought nearer, transportation costs would be cut. However, whether the answer can be found in Communist China is open to doubt.

For China today has been integrated economically into the Soviet bloc, with which it carries on three-fourths of its trade. There is not much surplus iron, for example, left over to ship to Japan. A Chinese textile industry now supplies the cloth that once was made in Osaka. And Peiping does not favor loosening the national belt just to help Japanese exports.

Nevertheless, Japan is desperately seeking markets. United States military purchases and expenditures here are diminishing. American tariff schedules have not been lowered in favor of Japan, as had been hoped. Sales in southeast Asia have proven disappointing because of money shortage there since tin and rubber prices fell. Therefore, the pressure mounts to expand trade with Peiping under almost any conditions. This is true despite realization that both the United States and its protégé, Formosa, look with disfavor upon such ideas.

JAPAN'S NEED IS GREATER

Businessmen have no reluctance in explaining the position. Kippei Hara, president of the Nichibo Textile Co., says: "Right now we are forced to depend too much on the United States. We cannot expect your aid to last forever. We have to regain our economic independence. To do this we cannot disregard the opportunities presented by 600 million Chinese. If the United States insists on trying to curb us you will only invite criticism. People will say you are trying to keep us within America's orbit. Trade with China probably won't amount to much, but we need anything we can find. The sooner it starts the better. Perhaps if we develop our commerce with Red China we can draw it nearer to the free world. The policy of freezing China out merely drives it back on Russia. You should pay more attention to Aesop's fable which demonstrated that the sun's warmth was able to force a man to take off his coat when the wind's power failed to do so."

Business forces as well as political pressures are working on the Hatoyama government to develop China trade. Peiping knows this and obviously is going to demand a pretty stiff price. Japan needs this commerce more than China. Unless the United States displays considerable wisdom and restraint the resulting situation may develop some difficult diplomatic moments. It is clearly inevitable that this highly industrialized nation is going to try to regain some of its lost markets in nearby China, regardless of political pressures. The eventual trade will probably prove disappointingly small to the Japanese. But they still hope they can get back into the China market before what is left of it has been gobbled by the Soviet bloc.

[From the Economist of March 5, 1955]

JAPAN: NATIONALIST AND NEUTRALIST

The Japanese are once again making their own way in the world, and the general election last weekend carried some useful indications of the direction they will take. Although the results caused no great surprise, that does not diminish their importance. For they mark a definite break with the long period of Liberal Party rule, which had been tarred with the brush of the occupation. The simplest verdict about the results is also the truest. The Japanese will become more Japanese. They will, that is to say, henceforward be at once more nationalist and more neutralist in their attitude to other nations. While remaining governed by an essentially conservative government, they will throw off the mantle of American influence and seek to make fresh terms with the Communist powers. And yet, in that their new policy will above all assert the national character of Japan, it will by no means be simply pro-Communist.

Mr. Hatoyama, the leader of the Democrats, has been confirmed in office insofar as his party has captured the lead with 185 seats (last parliament, 124) to the 112 (180) of the Liberals, from whom he broke away at the time of Mr. Yoshida's resignation. The next largest are the left-wing Socialists with 89 seats (last time 74) and the right-wing Socialists with 67 (61), making, if they combine, a bloc of 156. The Communists won only 2 seats, compared with 1 before; and there remain 10 seats among miscellaneous smaller parties, of both left and right. The interesting features of these results are that the Democrats have done about what was expected, the Liberals and Communists worse, and both groups of Socialists better.

The main deductions are, first, that Mr. Hatoyama will probably form a minority government, consisting of his own party alone and yet relying in the first instance on the support of the Liberals on major issues, though without their participation in the cabinet. Secondly, the Socialists are between them just strong enough, assuming other left-wing support and no defection to government ranks from their own right wing, to block the two-thirds majority that would be necessary to amend the constitution and introduce more outright rearmament; this can and will be regarded in Moscow as the achievement of a cardinal aim. Thirdly, although direct constitutional Communist influence on Japan's internal affairs is still negligible, the left-wing Socialists are in a stronger position than they were. Moreover, Moscow's influence with them has never been greater, and it is a key element in present Soviet tactics to keep Communist Parties in the background while building up broadly based anti-American popular fronts.

Under these new colors, what will Japan do? And what should Britain's attitude be? All observers agree that Mr. Hatoyama has won the elections largely on his avowed policy of seeking a fresh modus vivendi with the Communist rulers in Moscow and Peking. It is now clear that he favored a more emphatic move in this direction than his foreign minister in the outgoing caretaker government, Mr. Shigemitsu. And it must therefore be assumed that, if he is in fact the new prime minister, he will begin by concluding peace treaties with the Russians and with the Chinese Communists at the earliest practicable moment. There are, however, several snags. The most obvious is that Mr. Hatoyama, engaging and effective in the brief spurt of the last few months, is nevertheless old and far from well, and he might not be able to sustain the burden of premiership for long. If his health failed, the Democrat party could fall under less characterful leadership and it might well split. In that event, a new coalition based on the inclusion of the Liberals under Mr. Ogata—who has stepped into Mr. Yoshida's shoes—might be expected to pursue a somewhat more pro-American line.

Other question marks are raised by Japan's claims against Russia and its quasi-recognition of Formosa. It would be wrong, however, to expect either difficulty to do more than delay closer relations with Moscow and Peking. When Mr. Hatoyama let it be known that he would welcome a fresh approach from the Russians, Mr. Molotov had the head of the unofficial Soviet mission in Tokyo, Mr. Domnitsky, write to and ring up the Japanese foreign ministry straightaway. So pressing, in fact, were Mr. Domnitsky's messages and phone calls, that Tokyo sought and obtained independent confirmation from Moscow that he really represented the Kremlin's view. As things stand, the Russians have now accepted the Japanese demand that actual negotiations should take place on neutral ground at the United Nations in New York, and one of the first acts of a new government in Tokyo is bound to be to get these talks rolling. Japanese terms, despite demands which include the return both of the remaining prisoners of war and of the islands of Shikotan and Habomai, are not likely to be too stiff to make agreement possible. A major feature of the new Sino-Soviet policy, drawn up during the visit to Peking last October of Mr. Khrushchev and Marshal Bulganin, has been to win the friendship of the Japanese at almost any cost, and it may be assumed that this will certainly be implemented.

Moscow is in fact batting on a good wicket in Japan. This was clearly visible during the electoral campaign, in spite of the relative failure of the Communists to produce any fireworks of their own. The Russians have two lines which they are at present plugging on a worldwide basis but which have a particular appeal to the Japanese. One is to abolish foreign bases and the other to ban atomic and thermo-nuclear weapons. Both are aimed exclusively and specifically at destroying American power, and both find a ready echo among many Japanese, who naturally resent the continued presense of foreign servicemen, while also associating them with a multiplicity of memories and fears about the A-bomb and the H-bomb. Nor should too much be read into the Communist electoral failure itself. Although the party put up 99 candidates and got only 2 elected, its policy was to avoid splitting the anticonservative vote. It therefore withdrew candidates where Socialist prospects were good, and, with 100,000 members and 300,000 sympathisers, threw its weight into the left-wing Socialist scale.

Even more important than Moscow to the Japanese is Peking; and in regard to China Mr. Hatoyama can be expected to have the added incentive of trade. While many Japanese feel that the time has come to regularize their political relations with the new giant who has appeared on their doorstep, still more believe that the precarious Japanese economy can never become less dependent on American goodwill until Japan rebuilds at least some of its prewar trade with the mainland. And, in those terms, Japanese trade with China is still very small, partly because of allied controls on strategic goods but mainly because China's own political line demands a greater concentration of trade within the Communist bloc. But at the end of last year Chinese-Japanese trade was picking up fast, and, given a Communist determination to make economic sacrifies for the political object of tightening ties with Japan, there is undoubtedly scope for a good deal more trade, even within the limits of the present strategic embargoes.

Signing a peace treaty with Communist China means recognizing the Peking government. And it is here that Japan's new policy is bound to move into deeper water, since this implies both modifying the present relationship with Formosa and taking a line which would raise a good many eyebrows in Washington, particularly at the present moment; although Mr. Dulles did not quite succeed in making it a condition of the peace treaty of 1951 that Japan should recognize the Chiang Kai-shek regime as the government of China, he did secure diplomatic relations between Tokyo and Taipeh, with their precise status somewhat ill-defined. If Mr. Hatoyama now wants to get on closer terms with Peking, he can hardly expect Mr. Chou En-lai to accept his existing relationship with Formosa.

From Britain's point of view, there is no overriding reason why Japan should not take the course which Mr. Hatoyama is charting. Indeed, until more normal relations are established between the powers of the area, there can be no prospect even of a makeshift settlement in the Far East. And there is

certainly no greater possibility of keeping the Japanese indefinitely in a position of artificial inferiority than there is of keeping the Germans. But Japan has had the inestimable benefit, compared with Germany, of not being divided during the occupation; of not suffering directly from purely cynical Communist tactics; and of receiving the maximum help that the United States has been able to give, economically, technically, and politically. It would be a disaster to the cause of the free world if the Japanese were not to understand in time the definite limits they should set on their rapprochement with the Communist powers. At the elections the Japanese people have rejected Communism as such. They should never forget that, in the eyes of the ruthless men in Moscow and Peking, their country represents the fattest prize in Asia.

[From the New York Times of January 29, 1955]

SOVIET OFFERS JAPAN END TO STATE OF WAR

TOKYO, Saturday, January 29.—Moscow has made overtures to the Japanese Government for ending the state of war between the two countries.

A note said to be from Vyacheslav M. Molotov, Soviet Foreign Minister, to Japanese Premier Ichiro Hatoyama, delivered Tuesday by the head of the unofficial Soviet mission here, is understood to have touched on territorial and other issues that Tokyo has raised in connection with a peace settlement. These include title to the Habomai and Shikotan Islands off the northernmost main Japanese island of Hokkaido. The Soviet has occupied these outposts since the end of World War II.

A Foreign Ministry official said the note as received in English translation was undated and unsigned. As such, he said, it could not be considered the type of formal approach from Moscow desired by the Foreign Ministry.

The return of thousands of Japanese nationals believed to be detained in the Soviet Union is another question connected with a possible peace treaty. The Soviet was said to have stated its views on all outstanding problems between Moscow and Tokyo, but details were withheld by both Soviet and Japanese sources.

The delivery of the Soviet note by A. I. Domnitsky, chief of the unrecognized mission here, appeared to some to fulfill a condition laid down by Japanese Foreign Minister Mamoru Shigemitsu that the initiative in treaty negotiations should come from Moscow. Mr. Shigemitsu insisted that the Soviet should make the first move because the Soviet had declared war on Japan in 1945. He also contended that the formal state of war continued to exist only because the Soviet Union had refused to sign the San Francisco Treaty.

Premier Hatoyama has expressed eagerness recently to conclude a treaty with the only great power still formally at war with Japan. To this end he received the chief of the Soviet mission, which has been unrecognized officially by the Japanese Government since the end of the Allied occupation in May 1952.

Some significance was attached to the fact that the Soviet communication was delivered within a few days of Moscow's announcement that it had formally terminated the state of war with both East and West Germany. It is understood that the Soviet note to Mr. Hatoyama was received by the Soviet mission December 27, but that its delivery to the Premier was delayed until this week by the refusal of the Foreign Office to receive the unrecognized Soviet representative.

Mr. Domnitsky was quoted by the Japanese Kyodo News Service this morning as having said in an interview that Moscow made peace overtures to Tokyo "with full recognition of Japan's basic leanings toward the United States."

United States Ambassador John M. Allison declined comment this morning on the Soviet note.

Japanese officials, in appraising the overtures, appeared to be actuated by two conflicting drives. One is the desire to turn "normalization" of Japan's relations with the Soviet—and also Communist China—into an appalling gambit in the elections February 27. The other is the problem of facing the hard actualities of Japan's dependence on United States for both defense and economic support for a considerable time to come.

[From the New York Times of December 28, 1954]

HATOYAMA FAVORS AMITY WITH SOVIET—CALLS FOR JAPAN-RED CHINA TIE TOO TO END DISLIKE OF UNITED STATES

(By Robert Trumbull)

TOKYO, Tuesday, December 28.—Closer relations between Japan and the Communist Governments of the Soviet Union and China will tend to reduce the present unfriendliness of the Japanese people toward the United States, Premier Ichiro Hatoyama declared today.

The Premier said the adverse feeling toward the United States stemmed from popular suspicion that the previous Yoshida Government was tied blindly to Washington policy. He expressed the belief that establishment of normal trade and other contacts with the Communists would remove this misconception.

Yesterday, Communist China extended an invitation to Japanese fishing experts to visit Peiping. The offer was accepted.

Mr. Hatoyama asserted that the steps contemplated by his government toward rapprochement with the Communists in commerce and other areas need not imply diplomatic recognition of Red China. That, he said, is something "for the future."

Mr. Hatoyama stressed the economic benefit of trade with Communist China in Japan's present weakened financial state. He said the Japanese Ambassador to Nationalist China, Kenkichi Yoshizawa, had assured him only this morning that he expected no reduction in Japan's lucrative commerce with Formosa as a result of dealings with the Reds. Mr. Yoshizawa returned from the Chinese Nationalist capital last week.

The Premier also emphasized Japan's determination to rearm for self-defense. He said this could be done within the framework of the present constitution, which forbids Japan to acquire the potential for aggressive war.

He asserted that no steps to change the constitution were contemplated before the March elections. He said he did not believe alteration was necessary except to "clarify the working" of the antiarmament clause. Mr. Hatoyama added, however, that he was unable to forecast the ultimate strength of the Japanese forces, nor when these might relieve the United States of responsibility for defending Japan.

"Japan is poor and it will take time, but eventually we want our own forces," he said.

[From the New York Times of December 28, 1954]

JAPAN GETS PEIPING BID—INVITATION TO FISHERIES PARLEY, PART OF AMITY DRIVE, ACCEPTED

TOKYO, December 27.—Communist China stepped up its campaign for Japanese friendship today with an invitation to fishing experts to visit Peiping.

Japanese fishing interests accepted the invitation within a few hours. The industry group, interested in reaching agreement with the Communists on mutual problems, announced that a 14-man delegation would depart for Red China's capital January 8.

It was presumed here the fishing experts would experience little or no difficulty in getting permission from the Government to make the journey to the mainland. The new conservative regime of Premier Ichiro Hatoyama has announced its intention of relaxing barriers against travel in connection with its pledge to obtain more normal relations with Communist-ruled nations.

The invitation and its prompt acceptance represented the fruition of a seed planted by Red Chinese leaders more than 3 months ago during a visit of Japanese legislators to Peiping. The Chinese suggested that they would welcome a visit by fishing experts and that they would like to send their own commercial delegation to Japan to discuss increasing trade.

The Chinese suggestion was transmitted to the Japanese fishing industry by Socialist legislators. A civilian group called the Japan-China Fishery Council, established to promote the settlement of differences arising over fisheries problems, took it up.

The Japanese interest in reaching a working agreement with Red Chinese authorities on fishing problems is prompted to a large extent by the desire to end seizure of Japan's fishing boats in the China Sea by Red China's patrol vessels. When the fishery council was established, it listed this problem as the foremost difficulty to be ironed out with the Chinese.

The second matter the Japanese industry has indicated it wanted settled in Peiping is fishing areas. It would like to establish mutually agreed zones where the fishing fleets of both nations could safely work, and perhaps areas that could be exploited jointly.

Despite their eagerness to reach an amicable settlement with the Chinese Communists on fisheries problems, some Japanese in the industry are worried that such an agreement might bring new complications. Japanese fleets operate extensively in and around Formosan waters, and there is a belief an agreement might generate ill feeling among the Chinese Nationalists.

NEW SOVIET FEELER REPORTED

TOKYO, Tuesday, December 28.—Japan's two Socialist Parties united yesterday in a common platform calling for diplomatic relations with Red China and the Soviet Union and opposing rearmament through American aid.

Foreign Office sources said Moscow had sent a feeler on the possibility of renewing diplomatic relations to Japan's Ambassador to Paris, Kumao Nishimura. These sources said the feeler had been sent through Stanislaw Gaiweski, Polish Ambassador to Paris.

[From the New York Times of January 5, 1955]

HATOYAMA DRAFTS PLAN FOR RED TIES—SEEKS TO NORMALIZE JAPAN'S LINKS TO SOVIET BLOC BY FIRST PROMOTING TRADE

(By Robert Trumbull)

TOKYO, January 4.—Premier Ichiro Hatoyama outlined today a series of steps to develop closer relations between Japan and the Soviet Union and Red China.

The conservative Premier took sharp issue with the view that normal relations with Communist countries would tend to promote communism in Japan.

He added that Japan's defense forces were strong enough to suppress a revolution by force of the Communist Party. While the Japanese Communist Party is not illegal, almost all its leaders have gone underground since the beginning of the Korean war.

The Premier declared that the normalizing of Japan's relations with the Soviet Union and Red China should proceed through several stages.

"What is needed first of all is to promote trade and traffic," he said. "First, restrictions on traveling will have to be relaxed."

The next step he recommended was removal of the ban on selling certain strategic goods to Communist countries. The exchange of economic missions would follow, he said. He proposed further that Japan form internal trade organizations to promote the exchange of products with the Communist countries.

He said Shozo Murata, chairman of the recently created International Trade Society and an influential figure in Japanese financial circles, would go to Red China soon to discuss these matters with Communist Chinese officials.

"I am of the opinion that to normalize our country's relations with Communist China and the Soviet Union is the way that will lead to world peace," the Premier commented.

Mr. Hatoyama made his statement as he left by train for the Shinto Grand Shrine at Ise. According to custom, every Premier of Japan must make obeisance at the Grand Shrine after his election. The Premier himself is a Christian.

The Premier's thoughts were on more worldly matters as he left with his Agriculture Minister, Ichiro Kono. For one thing, he was thinking about introducing a program resembling the Soviet Stakhanovite system to improve Japan's industrial and farm output.

Premier Hatoyama was optimistic that Washington would give a favorable hearing to Japan's plea to reduce the assessment on Tokyo for partial upkeep of United States troops maintained here to defend these islands in the absence of adequate Japanese forces. Tokyo would like to cut the amount, which is expected to come to $150 million this year, by nearly one-third. Tokyo proposes then to spend more on its own armed forces to replace the Americans eventually.

This is being discussed here this week in conversations between Finance Minister Hisato Ichimada and Adm. Arthur W. Radford, Chairman of the United States Joint Chiefs of Staff.

MUTUAL BENEFITS CITED

"To reduce Japan's share of the joint defense cost will result in strengthening our defense forces," the Premier said. "This will prove to be a mutual benefit to Japan and the United States, so I do not see any reason why the United States will oppose it."

But Admiral Radford has stated that he will merely report the Japanese views to Washington. Uncertainty over the Hatoyama government's survival in the forthcoming elections has left doubts here that Washington will act on this matter until the political situation clears.

Mr. Hatoyama said he expected his Democratic Party to win 230 seats in the lower house. This would nearly double its present strength of 122, but would still leave the Hatoyama group without an absolute majority in the 467-member Diet.

The Premier said that after the elections, which are to be in February or March, he would like to undertake a bipartisan approach in diplomacy as well as internal problems through parliamentary committees.

[From the Economist of December 18, 1955]

THE LURE OF COMMUNIST CHINA

Shortly before he became Prime Minister, Mr. Ichiro Hatoyama denounced the "weak pro-American policies of Mr. Yoshida," and—while piously, doubtless truthfully and therefore more dangerously disavowing pro-Communist sympathies—called for increased trade with Communist China and Soviet Russia. With a straight face, he also blamed Mr. Yoshida for preventing the resumption of closer Asian relations at Washington's behest. But about the same time Yoshida approved the visit to Peking on a trade mission of Mr. Shozo Murata, former Cabinet Minister, former president of the Osaka Shosen Kaisha and now president of the Association for the Promotion of International Trade. Mr. Murata has been urging "peaceful coexistence between Japan and China" with no involvement in the possibilities of coexistence between the United States and the Soviet Union. It is perhaps necessary to repeat the APIT is nonpolitical and includes conservatives, businessmen and industrialists who abominate the Japanese Socialists but made common cause with them on this issue.

In making these moves, the two rivals, Mr. Hatoyama and Mr. Yoshida, were reasoning with the current of Japanese opinion. Almost overnight, pro-Chinese sentiment has become respectable, democratic, honorable and by some curious Oriental deviousness, loyally, logically and commendably fellow-Asian. (The references, incidentally, are almost invariably to "China," not to "Communist China"; but this may not be Japanese ambivalence so much as Japanese conviction that there is only one China and that the Formosan garrison is important solely because of its political associations with the unpredictable westerners in Washington.) The most significant and disturbing implication of this swift response by the Japanese—rightists and leftists alike—to Peking's first belated gestures of friendship is the supreme and universal indifference to the possible effects of Japan's pro-China sentiment on Washington's pro-Japan sentiment.

NO BEGGARS OR FLIES

For the record, it is instructive to embalm these carefully translated, but internationally ignored, comments by members of the all-party Diet mission which recently made a 1-month visit to China on the heels of the earnest British Socialists:

Mosaburo Suzuki (chairman of the Left-wing Socialists): The people of China want to live in peace not only with Japan but with all countries, even the United States. Chou En-lai repeatedly said during talks that the Japanese people are "brave, hard-working, and very intelligent." I personally think that his statement was not a mere compliment, but an expression of his ardent desire to maintain perpetual peace and good relations with Japan. He knows too well that it would not be advantageous to China to have Japan and its people as enemies. I therefore would like to propose that we restore relations to normal at the earliest possible date, open diplomatic channels between the two countries, and endeavor together to join the United Nations.

Kikutchiro Yamaguchi (executive of Mr. Yoshida's Liberal Party, former secretary-general): Communist China is ruled by a strict belief in Mao Tse-tung and the leaders of the Communist Party, and their forceful politics were necessary to reconstruct the corruption-ridden politics of so many past centuries. It was very impressive that that great leader of China should have established such a powerful government after 30 years of struggle and betrayal of the people. Chou En-lai made much of me. I was impressed by the complete success of the revolution. * * * There is no reason to be anxious about a possible assault on Formosa, because continental China would be the very country to suffer the severest damage in a war. Through peace, on the other hand, she could establish such a powerful political system as would continue for more than 200 years.

Prof. Michitako Kaino, Toritsu University, Tokyo: There seems to be little doubt that the Chinese are now satisfied with the fact that they can read and learn letters, eat meat, be clad in new suits and enjoy drama and the movies; that they are given, or at least have better access to, dwelling houses; that any of them, if possessed with ability, can obtain a college education with no discrimination and without spending even a cent; that, even though their source of knowledge is one-sided, they have come to acquire a certain amount of knowledge on world affairs. There is no doubt that their future is filled with hope.

Tomoji Abe, leading Japanese novelist and critic: While it is true that writers and artists are requested to "cooperate" with the projects of establishing a new Socialist state, so far as I could see, there was no deliberate oppression of thought and speech in China. The ideal for "tomorrow's literature" in China was enunciated by Mao Tse-tung in the late forties at the Symposium of Literature in Yenan, which has as its basis: (1) To help make people happier; (2) to be realistic in artistic activities.

Ichiro Aoyagi (Liberal Party member): China is seeking friendly relations more than anything else. There are no beggars or flies. Japan must abolish passport restrictions to promote intercourse between Japan and China.

Kumaichi Yamamoto (secretary-general of the Association for the Promotion of International Trade—nonpolitical and Osaka-backed): The first thing Japan should do is to formulate and pursue an autonomous economic policy. * * * As is well known, continental China has tried positively to increase her trade with Japan, allowed the entry of Japanese trade representatives, permitted them to make inspection tours and even consented to enter into trade agreements. * * * After the lifting of restrictions on the freedom of visiting each other's countries, there should be a Japanese removal of the COCOM embargo list on exports to China.

This surely represents a rewarding harvest for Peking from the first sprinkling of Red propaganda seed on the naively impressionable Japanese soil.

Behind this strong and growing move for Japanese rapprochement with Communist China, the West would be wise to discern not only natural trade and racial impulses, but fundamentally a basic popular urge for apparent independence in international affairs—all the more popular, subconsciously, if it runs counter to the intentions and hopes of the benevolent but now irritating help of the United States.

[From the Economist of February 5, 1955]

BIDDING FOR JAPAN

The Communist propaganda offensive in Japan goes on apace. In the middle of January the caretaker Japanese Foreign Minister, Mr. Shigemitsu, gave the Soviet Union the cue by saying that the initiative for ending the state of war must come from the Russians. Although Mr. Shigemitsu reemphasized that, in any peace treaty with the Communist bloc, Japan would lay strong claim to the return of the Kurile Islands and other former Japanese territories, no one in Tokyo expects to hold out for more than a partial restoration, notably Habomai and Shikoran; other Japanese conditions are reported to be the release of all so-called war criminals, Russian support for Japan's entry into Uno, and unrestricted trade. In reply, it has just been revealed, Moscow sent a message to Tokyo on January 25 declaring that normalization of relations would not be out of place.

Mr. Shigemitsu has again repeated that alliance with the United States remains the basis of Japanese policy; and there seems little likelihood that any immediate recognition of Communist China is contemplated. Nor has Tokyo apparently yet decided what line it will take at the Afro-Asian Conference, to which Japan has been invited and at which it could act as a counterweight to Communist China. But the growing Japanese desire to run with the hare and hunt with the hounds is already being exploited to the full by both Peking and Moscow. There has been a spate of new suggestions for cultural and other kindred exchanges in 1955.

The Chinese in particular are sending writers, painters, musicians, actors, playwrights, a circus, teams for basketball, swimming and table tennis, films on land reform and on the emancipation of women, a fine arts exhibition, and even an exchange zoological troupe which would swap Siberian wolves and Bactrian camels for Japanese monkeys and long-tailed cocks.

The Communists are playing a dangerously promising game with Japan's two Socialist parties. Split into left and right factions after the war, these are now to fight the elections this spring in alliance, and the Communist radio station Free Japan is urging a merger after the elections are over. The basis of it would be a common policy of friendship with the Soviet Union and China. Some blame for these developments certainly lies on the leadership of the British Labour party. The party is widely respected in Japan and Mr. Attlee should never have let Mr. Bevan steal the show with his anti-American talk in Tokyo last year.

[From the London Times of December 14, 1954]

MORE AUSTERITY IN TOKYO—ELECTION SHADOWS

TOKYO, December 13.—It is natural that the Hatoyama government's policy should reflect the influence of the forthcoming elections; some of its first decisions certainly have a faintly demogogic flavor.

In accordance with the promised clean-up of political life, the Cabinet has decreed certain austerity measures. The Prime Minister will in future have only 1 official residence instead of 2; ministers will not have any; ministers' police protection is reduced; and officials are forbidden to play golf and mahjong with businessmen. It has been the practice hitherto for business leaders lavishly to entertain government officials, especially those from the Ministries of International Trade and Agriculture, over golf and mahjong. A sharp drop is reported this weekend in the number of officials visiting the popular Kawana golf course near Tokyo.

The appointment of Mr. Eikichi Araki as governor of the Bank of Japan has been inspired by sounder motives. He was the first Ambassador to Washington after the war and held the governorship in 1945 before being purged. He has declared that he will uphold the retrenchment policies of his predecessor, Mr. Ichimada, now Finance Minister. Mr. Ichimada is expected to pursue a policy of deflation, but with more discrimination than it was applied under Mr. Yoshida to avoid driving more businesses to bankruptcy through a too rigid money policy. Mr. Hatoyama has also announced that he will present a preliminary budget for 1955 before the dissolution of the Diet, in accordance with the wishes of financial leaders; it is expected to remain within the compass of the current budget.

TRADE WITH COMMUNISTS

Outlining the Government's more realistic foreign policy, Mr. Hatoyama said that the refusal of intercourse with the Communist nations by perpetually shunning them as enemies of the free nations would eventually lead to a world war; the promotion of trade and traffic was the way to reconciliation. Mr. Shigemitsu, the Foreign Minister, has added that the Government will promote trade with all nations within the limits of existing agreements, but has not yet indicated how. It is expected that there will be some relaxation in the granting of travel permits to China and efforts may be made to ease other restictions against China, but there is no likelihood of official relations being placed on a normal footing. Mr. Shigemitsu has also mentioned the Government's desire to revise the Mutual Security Agency agreement with the United States on a really reciprocal basis. It is also hinted at the Foreign Ministry that there will be a revision of Mr. Yoshida's bending-over-backward-for-America policy.

[From the London Times of January 12, 1955]

RELATIONS IN FAR EAST—TOKYO'S CALL FOR PEACE INITIATIVE

TOKYO, January 11.—There has been much wishful thinking by the Hatoyama government about relations with Russia and China, and the possibilities of peace settlements with them. Speaking at Osaka today, the Prime Minister declared that Japan should take the initiative in calling on Russia and China to end the state of war and resume normal relations, and Mr. Shigemitsu, the Foreign Minister, said last week that the Government is studying steps to that end.

Although such a possibility exists in the case of Russia, Mr. Hatoyama is guilty of excessive optimism in saying it could be expected before the elections in March. Russia has been quick to seize the propaganda advantage from the overtures by the Japanese Government, and Mr. Molotov recently indicated that the San Francisco and mutual-security treaties did not hinder the restoration of diplomatic relations between Japan and Russia. The Japanese Government has pointed out that the settlements are dependent on the recognition of Japan's territorial claims, without clearly specifying them, on the release of Japanese nationals still held in Russia, and on a solution of the fisheries question.

CLAIM TO KURILES

Territorial questions are most likely to be a stumblingblock. The Japanese are not reconciled to the annexation of the Kurile Islands by Russia, and urge the return of the archipelagos whenever they are discussed.

Recently there has been a greater emphasis, in official and unofficial statements, on the return of the Habomai and Shikotan Islands off Hakkaido, probably as it was realized that there was not the slightest hope that Russia would abandon the Kuriles. Japanese renunciation of the Kuriles is expressly stated in article II of the San Francisco treaty, and Russia is still able to negotiate with Japan a bilateral treaty on the same terms in accordance with article XXVI until 3 years have elapsed after its enforcement.

It is conceivable that Russia might, as a propaganda gesture, return Habomai, which is clearly part of Hakkaido and not the Kuriles, and which was unilaterally annexed after the war. Habomai was a rich crab fishery before the war, and Japanese fishermen cannot fish there without coming within 12 miles of the Russian coastal limit, and ships are continually being seized. Certainly the Japanese Government could not face any election without a loss of votes if a peace treaty was negotiated with Russia which did not stimulate the return of Habomai.

Hopes of a settlement with China are inconceivable within the framework of Japan's existing obligations, to quote Mr. Shigemitsu's words. Peking, it is clearly stated, has no intention of restoring diplomatic relations with any country which recognizes Formosa, and no Japanese Government is able to prejudice vital relations with the United States by any renunciation of its recognition of Formosa. An increasing realization of this is induced by a shift of emphasis in government statements recently to expanded trade and communications with China.

It is natural for any Japanese Government to make a show of independence in foreign policy at this stage, but the basic fact of Japan's dependence on the United States has not changed.

Mr. MANSFIELD. I yield the floor.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARRETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THURMOND in the chair). Without objection, it is so ordered.

CALL OF THE CALENDAR

The PRESIDING OFFICER. Under the order previously entered, the Senate will proceed to the call of the calendar. The clerk will state the first measure on the calendar.

AMENDMENT OF RULE XXV OF THE STANDING RULES OF THE SENATE

The resolution (S. Res. 17) to amend rule XXV of the standing rules of the Senate was announced as first in order.

Mr. BIBLE. Mr. President, I ask that the resolution be passed over.

The PRESIDING OFFICER. The resolution will be passed over.

REMOVAL OF REQUIREMENT FOR FINAL PHYSICAL EXAMINATION FOR INDUCTEES

The bill (S. 802) to amend the Universal Military Training and Service Act, as amended, to remove the requirement for a final physical examination for inductees who continue on active duty in another status in the Armed Forces was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. PURTELL. Mr. President, I offer an amendment to the bill.

Mr. BIBLE. Mr. President, I have consulted with the Senator from Mississippi [Mr. STENNIS] with reference to the proposed amendment. The amendment is agreeable to him. I have no objection to it.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Connecticut.

The LEGISLATIVE CLERK. On page 1, beginning in line 9, it is proposed to strike out "without substantial interruption", and insert "without an interruption of more than 72 hours."

Mr. PURTELL. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an explanation of the amendment I have offered.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MEMORANDUM IN EXPLANATION OF AMENDMENT TO S. 802 (CALENDAR NO. 46)

The purpose of this bill is to eliminate the necessity for a final-type physical examination for inductees who, upon completion of their inducted service, continue without interruption on active duty, either by enlistment in a Regular component, or as a member of a Reserve component on extended active service.

As reported from committee, the bill provides, in order to eliminate the requirement

of a mandatory physical examination, that the inductee must continue on active duty "without substantial interruption."

Because the word "substantial" is susceptible of varying interpretations, it is felt more desirable to fix a definite maximum period during which there is interruption from active duty. It is understood that the Defense Establishment considers administratively workable a provision that would permit such an interruption of not to exceed 72 hours.

Accordingly, the amendment substitutes for "substantial" interruption a definite maximum interruption of 72 hours from service on active duty.

Mr. BIBLE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement prepared by the Senator from Mississippi [Mr. STENNIS] concerning the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR STENNIS

REMOVING THE REQUIREMENT FOR A FINAL PHYSICAL EXAMINATION FOR INDUCTEES WHO CONTINUE ON ACTIVE DUTY IN ANOTHER STATUS IN THE ARMED FORCES

The purpose of this bill is to eliminate the necessity for a final physical examination for draftees to continue on active service without interruption upon the completion of their inducted service. Under existing law all individuals inducted into the Armed Forces must be given an examination at the beginning and at the completion of their military service.

This bill, in eliminating the necessity for the examination, fully protects the individual by providing that the serviceman may request or the military authorities in their discretion may give the man a physical examination.

It is significant to note the group of inductees that this bill will affect. For the past several years there have been about 15,000 men each year in the Army who, after they have completed about 3 months of inducted service, have asked to be discharged in order to enlist without interruption for at least a 3-year term in the Regular Army. This change in type of service is advantageous to both the individual and the Army. The individual receives the reenlistment bonus and also a choice of training at technical schools by virtue of his enlistment for the longer term. The Army on the other hand can train this man and retain his services for a longer period. From the practical standpoint, however, this bill removes the necessity of a physical examination for the short-term draftees and at the same time all of the serviceman's rights are fully protected. It is estimated that the Government will save about $80,000 a year as a result of this bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. PURTELL].

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the second sentence of subsection 9 (a) of the Universal Military Training and Service Act (62 Stat. 614), as amended, is amended by changing the final period to a colon and adding at the end thereof the following proviso: *"Provided further*, That, if upon completion of training and service under this title, such person continues on active duty without an interruption of more than 72 hours as a member of the Armed Forces of the United States, a physical examination upon completion of such training and service shall not be required unless it is requested by such person, or the medical authorities of the Armed Force concerned determine that the physical examination is warranted.".

PROVISION FOR ADVANCE PAYMENTS OF CERTAIN PAY AND ALLOWANCES OF MEMBERS OF THE UNIFORMED SERVICES

The bill (S. 804) to amend sec. 201 (e) of the Career Compensation Act of 1949, as amended, to provide for advance payments of certain pay and allowances of members of the uniformed services, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That the Career Compensation Act of 1949, as amended, is further amended by adding at the end of subsection 201 (e) the following provision: "Any pay and allowances authorized by this act which will lawfully accrue to members for their return home incident to release from active duty or training duty may be paid to such members prior to their departure from their last duty station incident to such release, without regard to the actual performance of such travel."

ADMINISTRATION OF CERTAIN NATIONAL FOREST LANDS BY THE SECRETARY OF AGRICULTURE

The bill (S. 72) to provide that certain lands acquired by the United States shall be administered by the Secretary of Agriculture as national forest lands was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PURTELL. Mr. President, I wonder whether the Senate could be informed of the attitude of the Department of the Interior on the bill.

Mr. SCHOEPPEL. I have just received information, forwarded to me by the staff of the Committee on Agriculture and Forestry, that the Department of the Interior submitted a favorable report on the bill under date of March 22.

Mr. PURTELL. I have no objection to the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 72) to provide that certain lands acquired by the United States shall be administered by the Secretary of Agriculture as national forest lands was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That those certain lands situated within the boundaries of the Lincoln National Forest, New Mexico, which were conveyed to the United States by the State of New Mexico by deeds dated December 3, 1951, and recorded in book 142 at pages 547 to 556, inclusive, records of Otero County, N. Mex., in exchange for lands of the United States pursuant to the Act of June 28, 1934 (48 Stat. 1269; 43 U. S. C. 315g), as amended, are hereby made parts of said Lincoln National Forest and hereafter shall be subject to all laws, rules, and regulations applicable to that national forest.

Mr. ELLENDER subsequently said: Mr. President, during my absence Calendar No. 48, S. 72, was passed. I should like to have printed in the RECORD at the appropriate point an explanation of the bill and a copy of a report I received from the Secretary of the Interior, showing that the Department of the Interior is in favor of the bill.

There being no objection, the statement and letter were ordered to be printed in the RECORD, as follows:

EXPLANATION OF S. 72

This bill provides that certain lands heretofore acquired by the United States from New Mexico be included in the Lincoln National Forest. Acquisition of these lands was initiated under an act of June 15, 1926, which provided that they would become a part of the national forest, but was completed under the Taylor Grazing Act for reasons set out in the Department's letter included in the committee report. Because acquisition was completed under the Taylor Grazing Act, legislation is now necessary to carry out the congressional intent to make these lands part of the national forest.

The additional facts that these lands support mainly merchantable timber, have important watershed value, are intermingled with national forest lands, and are distant from administrative facilities of the Department of the Interior, make it advisable that these lands be administered by the Department of Agriculture as national forest lands.

UNITED STATES
DEPARTMENT OF THE INTERIOR,
Washington, D. C., March 23, 1955.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, United States Senate, Washington, D. C.

MY DEAR SENATOR ELLENDER: This is in reply to the request of your committee for a report on S. 72, a bill "To provide that certain lands acquired by the United States shall be administered by the Secretary of Agriculture as national forest lands."

I recommend that S. 72 be enacted.

S. 72 would make certain public-domain lands in New Mexico part of the Lincoln National Forest in that State. These lands were acquired by the United States in 1952 through exchanges for other public lands under the authority of section 8 of the Taylor Grazing Act of June 28, 1934, as amended (43 U. S. C., sec. 315g). The exchange was entered into to help block out the national forest lands in this area, and to simplify the administration of those lands.

These exchanges were first initiated under the authority of the act of June 15, 1926 (44 Stat. 746) which provides for the exchange of lands within national forests by the State of New Mexico for unappropriated public lands of the United States within or outside of national forests. Lands acquired by the United States under that act become a part of the national forests in which they are located. It was not thought advisable to complete the exchanges under that act since it contained no authorization for making exchanges of lands subject to outstanding grazing leases. Therefore, in order to recognize the equities of lessees with grazing privileges on the lands the exchanges were made under the Taylor Grazing Act under which those lessees could be adequately protected under the act of August 24, 1937 (50 Stat. 748, 43 U. S. C., sec. 315p).

The act of June 15, 1926 (44 Stat. 745, 16 U. S. C., sec. 471a), enacted earlier, but on the same day as the exchange act, provides that no forest reservation may be created or additions made to existing forests in New

Mexico or Arizona except by act of Congress. Since the Taylor Grazing Act does not authorize us to give national forest status to lands acquired in an exchange, legislative action by Congress is necessary to complete the purpose of the exchanges.

Such action would appear to be entirely in the public interest. The lands support merchantable timber and can be administered best together with the surrounding lands in the Lincoln National Forest.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

ORME LEWIS,
Assistant Secretary of the Interior.

TRANSPORTATION ON CANADIAN VESSELS TO AND WITHIN ALASKA

The Senate proceeded to consider the bill (S. 948) to provide transportation on Canadian vessels between ports in southeastern Alaska and between Hyder, Alaska, and other points in Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment on page 2, line 3, after the word "in," to insert the word "southeastern", so as to make the bill read:

Be it enacted, etc., That, until June 30, 1956, notwithstanding the provisions of law of the United States restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from any port in the United States to another port of the United States, passengers may be transported on Canadian vessels between ports in southeastern Alaska, and passengers and merchandise may be transported on Canadian vessels between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation."

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The concurrent resolution (S. Con. Res. 17) favoring the suspension of deportation of certain aliens was considered and agreed to.

(For text of above concurrent resolution, see CONGRESSIONAL RECORD of March 15, 1955, pp. 2863–2864.)

STANISLAVAS RACINSKAS

The bill (S. 39) for the relief of Stanislavas Racinskas was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding order and warrant of deportation, warrant of arrest, and bond, which may have been issued in the case of Stanislavas Racinskas (Stacys Racinskas). From and after the date of enactment of this act, the said Stanislavas Racinskas (Stacys Racinskas) shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and order have issued.

FRANCIS BERTRAM BRENNAN

The bill (S. 128) for the relief of Francis Bertram Brennan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Francis Bertram Brennan, shall be held and considered to be the natural-born alien child of William F. Brennan, a citizen of the United States.

MIROSLAV SLOVAK

The bill (S. 129) for the relief of Miroslav Slovak was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Miroslav Slovak shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available: *Provided*, That the past membership of Miroslav Slovak in the classes defined in section 212 (a) (28) of the Immigration and Nationality Act shall not hereafter be a cause for his exclusion from the United States.

BOHUMIL SURAN

The bill (S. 131) for the relief of Bohumil Suran was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Bohumil Suran shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

KURT GLASER

The bill (S. 143) for the relief of Kurt Glaser was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Kurt Glaser shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ERNESTO DeLEON

The bill (S. 167) for the relief of Ernesto DeLeon was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Ernesto DeLeon shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

GIUSEPPE MINARDI

The bill (S. 195) for the relief of Giuseppe Minardi was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Giuseppe Minardi, who lost United States citizenship under the provisions of section 404 (a) of the Nationality Act of 1940, may be naturalized by taking prior to 1 year after the effective date of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said act. From and after naturalization under this act, the said Giuseppe Minardi shall have the same citizenship status as that which existed immediately prior to its loss.

SZJENA PEISON AND DAVID PEISON

The bill (S. 243) for the relief of Szjena Peison and David Peison was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Szjena Peison and David Peison shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the appropriate quota for the first year that such quota is available.

JUNE ROSE McHENRY

The bill (S. 271) for the relief of June Rose McHenry was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, June Rose McHenry shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

LUIGI ORLANDO

The bill (S. 323) for the relief of Luigi Orlando was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Luigi Orlando, shall be held and considered to be the natural-born alien minor child of Mr. and Mrs. Lawrence Ricci, citizens of the United States.

CHARALUMPOS SOCRATES IOSSIFOGLU, NORA IOSSIFOGLU, HELEN IOSSIFOGLU, AND EFROSSINI IOSSIFOGLU

The bill (S. 348) for the relief of Charalumpos Socrates Iossifoglu, Nora Iossifoglu, Helen Iossifoglu, and Efrossini Iossifoglu was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purposes of the Immigration and Nationality Act, Charalampos Socrates Iossifoglu, Nora Iossifoglu, Helen Iossifoglu, and Efrossini Iossifoglu shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

ARON KLEIN AND ZITA KLEIN (NEE SPIELMAN)

The bill (S. 349) for the relief of Aron Klein and Zita Klein (nee Spielman) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Aron Klein and Zita Klein (nee Spielman) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

SIEGFRIED ROSENZWEIG

The bill (S. 350) for the relief of Siegfried Rosenzweig was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Siegfried Rosenzweig shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ELLEN HENRIETTE BUCH

The bill (S. 351) for the relief of Ellen Henriette Buch was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Ellen Henriette Buch shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

ISAAC GLICKMAN, REGHINA GLICKMAN, ALFRED CISMARU, AND ANNA CISMARU

The bill (S. 352) for the relief of Isaac Glickman, Reghina Glickman, Alfred Cismaru, and Anna Cismaru was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Isaac Glickman, Reghina Glickman, Alfred Cismaru, and Anna Cismaru shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

ALEXY W. KATYLL AND IOANNA KATYLL

The bill (S. 375) for the relief of Alexy W. Katyll and Ioanna Katyll was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Alexy W. Katyll and Ioanna Katyll shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

GIUSEPPINA LATINA MOZZICATO AND GIOVANNI MOZZICATO (JOHN MOZZICATO)

The bill (S. 378) for the relief of Guiseppina Latina Mozzicato and Giovanni Mozzicato (John Mozzicato) was considered, ordered to be engrosed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Giuseppina Latina Mozzicato and Giovanni Mozzicato (John Mozzicato) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

SANDRA LEA MACMULLIN

The bill (S. 386) for the relief of Sandra Lea MacMullin was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Sandra Lea MacMullin shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon the payment of the required visa fee: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the act.

ALI HASSAN WAFFA

The bill (S. 394) for the relief of Ali Hassan Waffa was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Ali Hassan Waffa shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

INGE KRARUP

The bill (S. 409) for the relief of Inge Krarup was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Inge Krarup shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

JAN HAJDUKIEWICZ

The bill (S. 412) for the relief of Jan Hajdukiewicz was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Jan Hajdukiewicz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence

to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ANASTASIA ALEXIADOU

The bill (S. 416) for the relief of Anastasia Alexiadou was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That for the purposes of the Immigration and Nationality Act, Anastasia Alexiadou shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

FRANCISZEK JANICKI AND HIS WIFE, STEFANIA JANICKI

The bill (S. 429) for the relief of Franciszek Janicki and his wife, Stefania Janicki was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Franciszek Janicki and his wife Stefania Janicki shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees.

ANICETO SPARAGNA

The bill (S. 432) for the relief of Aniceto Sparagna was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purpose of the Immigration and Nationality Act, Aniceto Sparagna shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

ERNEST LUDWIG BAMFORD AND MRS. NADINE BAMFORD

The bill (S. 465) for the relief of Ernest Ludwig Bamford and Mrs. Nadine Bamford was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Ernest Ludwig Bamford and Mrs. Nadine Bamford shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer or officers to make appropriate deductions of two numbers from the first available immigration quota or quotas.

CAPT. GEORGE GAFOS, EUGENIA GAFOS, AND ADAMANTIOS GEORGE GAFOS

The bill (S. 466) for the relief of Capt. George Gafos, Eugenia Gafos, and Adamantios George Gafos was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Capt. George Gafos, Eugenia Gafos, and Adamantios George Gafos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

AINA BRIZGA

The bill (S. 471) for the relief of Aina Brizga was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Aina Brizga shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

MARIA ELENA VENEGAS AND SARAH LUCIA VENEGAS

The bill (S. 474) for the relief of Maria Elena Venegas and Sarah Lucia Venegas was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Maria Elena Venegas and Sarah Lucia Venegas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees.

GERARD LUCIEN DANDURAND

The bill (S. 481) for the relief of Gerard Lucien Dandurand was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding order and warrant of deportation, warrant of arrest, and bond, which may have been issued in the case of Gerard Lucien Dandurand. From and after the date of enactment of this act, the said Gerard Lucien Dandurand shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and order have issued.

DR. CHANG HO CHO

The bill (S. 585) for the relief of Dr. Chang Ho Cho was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Dr. Chang Ho Cho shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

JAN R. CWIKLINSKI

The bill (S. 632) for the relief of Jan R. Cwiklinski was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Jan R. Cwiklinski shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ROGER OUELLETTE

The bill (S. 640) for the relief of Roger Ouellette was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, witwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Roger Ouellette may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

PENALTIES FOR THREATS AGAINST THE PRESIDENT-ELECT AND THE VICE PRESIDENT

The bill (S. 734) to amend title 18, United States Code, section 871, to provide penalties for threats against the President-elect and the Vice President-elect, was announced as next in order.

Mr. PURTELL. Mr. President, may we have an explanation of the bill?

Mr. KEFAUVER. Mr. President, I shall be pleased to make a brief explanation.

The purpose of the proposed legislation is to amend section 871 of title 18, United States Code, so as to provide penalties for threats against the President-elect and the Vice President. Section 871 of title 18, United States Code, makes it a Federal crime willfully and knowingly to make any threat to take the life of or to inflict bodily harm upon the President of the United States, whether such threat is deposited for conveyance in the mail, or is otherwise communicated. This will would amend the present statute to include threats against the President-elect and the Vice President of the United States.

The Treasury Department, in recommending favorable consideration of the bill, advises that there have been a number of cases involving threats against the President-elect and the Vice President, investigation or prosecution of which has been hampered because of lack of an applicable Federal statute.

The committee is of the opinion that the proposed legislation is necessary and, therefore, recommends favorable consideration of the bill.

Mr. PURTELL. I thank the distinguished Senator from Tennessee. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 734) to amend title 18, United States Code, section 871, to provide penalties for threats against the President-elect and the Vice President was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That title 18, United States Code, section 871 is amended to read as follows:

"§ 871. Threats against President, President-elect, and Vice President

"Whoever knowingly and willfully deposits for conveyance in the mail or for delivery from any post office or by any letter carrier any letter, paper, writing, print, missive, or document containing any threat to take the life of or to inflict bodily harm upon the President of the United States, the President-elect, or the Vice President of the United States, or knowingly and willfully otherwise makes any such threat against the President, President-elect, or Vice President, shall be fined not more than $1,000 or imprisoned not more than five years, or both."

SEC. 2. The analysis of chapter 41 of title 18, United States Code, immediately preceding section 871 of such title is amended by deleting

"871. Threats against President."

and inserting in lieu thereof the following:

"871. Threats against President, President-elect, and Vice President."

SARAH KABACZNIK

The bill (S. 735) for the relief of Sarah Kabacznik was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Sarah Kabacznik shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

CHOKICHI IRAHA

The bill (S. 891) for the relief of Chokichi Iraha was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Chokichi Iraha shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

LEO A. RIBITZKI, MRS. CHARLOTTE RIBITZKI, AND MARION A. RIBITZKI

The bill (S. 1021) for the relief of Leo A. Ribitzki, Mrs. Charlotte Ribitzki, and Marion A. Ribitzki was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Leo A. Ribitzki, Mrs. Charlotte Ribitzki, and Marion A. Ribitzki shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota for the first year that such quota is available.

PHILOPIMIN MICHALACOPOULOS (MIHALAKOPOULOS)

The Senate proceeded to consider the bill (S. 163) for the relief of Philopimin Michalacopoulos (Mihalakopoulos) which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause, and insert:

That, for the purposes of the Immigration and Nationality Act, Philopimin Michalacopoulos (Mihalakopoulos) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANNA C. GIESE

The Senate proceeded to consider the bill (S. 244) for the relief of Anna C. Giese which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 7, after the word "fee", to strike out the period and the words "Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available" and insert "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act," so as to make the bill read:

Be it enacted, etc., That for the purposes of the Immigration and Nationality Act, Anna C. Giese shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AHMET HALDUN KOCA TASKIN

The Senate proceeded to consider the bill (S. 245) for the relief of Ahmet Haldun Koca Taskin which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of section 212 (a) (22) of the Immigration and Nationality Act, Ahmet Haldun Koca Taskin may be admitted to the United States for permanent residence if otherwise eligible under that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARINA BERNARDIS ZIVOLICH AND MIRKO ZIVOLICH

The Senate proceeded to consider the bill (S. 246) for the relief of Marina Bernardis Zivolich and Mirko Zivolich which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 8, after the word "fees.", to strike out:

Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the number of displaced persons who shall be granted the status of permanent residence pursuant to section 4 of the Displaced Persons Act, as amended (62 Stat. 1011; 64 Stat. 219; 50 U. S. C. App. 1953).

And in lieu thereof, to insert:

Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

So as to make the bill read:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Marina Bernardis Zivolich and Mirko Zivolich shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct two

numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CIRINO LANZAFAME

The Senate proceeded to consider the bill (S. 503) for the relief of Cirino Lanzafame which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "act", to insert a colon and *"Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Cirino Lanzafame may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROSETTE SORGE SAVORGNAN—BILL PASSED OVER

The bill (S. 309) for the relief of Rosette Sorge Savorgnan was announced as next in order.

Mr. PURTELL. Mr. President, may we have an explanation of this bill?

Mr. KEFAUVER. Mr. President, I shall be very happy to give the Senate a brief explanation of the bill.

The bill, which was introduced by the Senator from Wisconsin [Mr. WILEY] is designed to enable a former citizen of the United States to regain her United States citizenship, which was lost by reason of naturalization in a foreign state. The beneficiary was born in Wisconsin in 1915 of native-born parents, and resided in the United States until 1941. In 1940 the beneficiary married her husband, who was an Italian citizen serving as Italian vice consul in St. Louis, Mo. In order to be married she was informed that it would be necessary for her to acquire Italian citizenship. She made the necessary application and obtained Italian citizenship prior to her marriage. Although intending to obtain Italian citizenship, it appears that she had no intention of endangering her United States citizenship or renouncing her allegiance to the United States. The beneficiary last entered the United States on January 23, 1952, as the wife of an accredited official of a foreign government, and is presently residing with her husband and two children in New York, where her husband is deputy consul general of Italy.

Correspondence in connection with the whole matter is set forth in the report. The Committee on the Judiciary unanimously reported the bill favorably. A similar bill passed the Senate in the 83d Congress.

Mr. PURTELL. Mr. President, the Department of Justice filed a report opposing relief, and stating that the alien "evidently intended to have both Italian and United States citizenship and to claim privileges of whichever status suited her convenience."

I wonder whether the Senator knows whether she renounced her citizenship to Italy. Otherwise, she would apparently have status in both countries. That is the reason for my inquiry.

Mr. KEFAUVER. As I understand, she would be required to take the oath of allegiance to the United States, under which she would renounce her allegiance to Italy.

Mr. SCHOEPPEL. Mr. President, I am not satisfied with this bill. I should like to have an opportunity to look further into it. I, therefore, ask that it be passed over.

The PRESIDING OFFICER. The bill will be passed over.

BILLS PASSED OVER

Mr. ERVIN. Mr. President, since the following bills all relate to the same matter and have been tentatively scheduled for consideration on Wednesday, I ask that they be passed over:

Calendar No. 107, S. 1325, to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

Calendar No. 108, S. 1326, to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

Calendar No. 109, S. 1327, to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

Calendar No. 110, S. 1436, to preserve the tobacco acreage history of farms which voluntarily withdraw from the production of tobacco, and for other purposes.

Calendar No. 111, S. 1457, to redetermine the national marketing quotas for burley tobacco for the 1955–56 marketing year, and for other purposes.

Calendar No. 124, H. R. 4951, directing a redetermination of the national marketing quota for burley tobacco for the 1955–56 marketing year, and for other purposes.

The PRESIDING OFFICER. Without objection, the bills will be passed over.

PROHIBITION OF TRANSPORTATION OF OBSCENE MATTER IN INTERSTATE OR FOREIGN COMMERCE

The bill (S. 599) to prohibit the transportation of obscene matter in interstate or foreign commerce was announced as next in order.

Mr. PURTELL. Mr. President, may we have an explanation of the bill?

Mr. KEFAUVER. I am glad the Senator from Connecticut has asked for an explanation, because this is an important bill. I ask unanimous consent that, following my remarks, an excerpt from the report of the Committee on the Judiciary may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. KEFAUVER. Mr. President, the bill adds a new section to title 18, United States Code (the Criminal Code) to be numbered section 1465. Under existing law it is a criminal offense to transport obscene matter either through the mails or by common carrier, but it is not a crime to transport such matter otherwise, particularly by private conveyance. Traffickers in such matter are well aware of this loophole in the law, and now transport such obscene matter in their private automobiles with immunity.

As a matter of fact, there has been testimony in some investigations which the committee has held that entire truckloads of such material are transported from one State to another. This has come to be big business in the United States. Some persons have estimated that as much as $100 million worth of obscene literature is being transported by private vehicles each year, to the detriment of the school children of the United States.

The proposed new section makes such transportation in private vehicles a criminal offense.

Since the end objective is to discourage the transportation of obscene matter, it is thought wise to close this presently existing hole in the law.

This bill creates a presumption that such transportation is "for sale or distribution," if such obscene matter is being transported in such quantities as to fairly raise such a presumption. The presumption is, however, rebuttable.

EXHIBIT A

The subcommittee of the Committee on the Judiciary investigating juvenile delinquency in the United States, during the course of its investigations, discovered that the loophole in the present statute which this bill seeks to close has been exploited by purveyors of pornographic literature in interstate commerce by means of private conveyance. In its interim report just appoved by the Committee on the Judiciary, the Juvenile Delinquency Subcommittee recommended that the present loophole in the statute be closed so as to prohibit the transportation of obscene matters in interstate commerce by private conveyance. The investigations of the Juvenile Delinquency Subcommittee point up the necessity for early passage of this legislation by the Congress.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PURTELL. I have no objection.

The bill (S. 599) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the analysis of chapter 71 of title 18 of the United States Code is amended by inserting, immediately after and underneath item 1464, as contained in such analysis, the following new item:

"1465. Transportation of obscene matters for sale or distribution."

SEC. 2. Chapter 71 of title 18 of the United State Code is amended by inserting, immediately following section 1464 of such chap-

ter, a new section, to be designated as section 1465, and to read as follows:

"§ 1465. Transportation of obscene matters for sale or distribution

"Whoever knowingly transports in interstate or foreign commerce for the purpose of sale or distribution, any obscene, lewd, lascivious, or filthy book, pamphlet, picture, film, paper, letter, writing, print, silhouette, drawing, figure, image, cast, phonograph recording, electrical transcription or other article capable of producing sound or any other matter of indecent or immoral character, shall be fined not more than $5,000 or imprisoned not more than 5 years, or both.

"The transportation as aforesaid of 2 or more copies of any publication or 2 or more of any article of the character described above, or a combined total of 5 such publications and articles, shall create a presumption that such publications or articles are intended for sale or distribution, but such presumption shall be rebuttable.

"When any person is convicted of a violation of this act, the court in its judgment of conviction may, in addition to the penalty prescribed, order the confiscation and disposal of such items described herein which were found in the possession or under the immediate control of such person at the time of his arrest."

AMENDMENT OF UNITED STATES CODE RELATING TO MAILING OF OBSCENE MATTER

The bill (S. 600) to amend title 18 of the United States Code relating to the mailing of obscene matter was announced as next in order.

Mr. PURTELL. Mr. President, I wish to thank the distinguished Senator from Tennessee for the explanation he gave with respect to Senate bill 599. I assume that Senate bill 600 is of a similar nature, since it covers the same subject. However, I wonder if the Senator would give a brief explanation of the bill.

Mr. KEFAUVER. I shall be very happy to do so.

The bill reclassifies and redefines obscene literature. The Post Office Department has stated that under the old definition it is very difficult to prevent the shipment through the mails of certain types of obscene matter, the shipment of which the Department felt should be prevented, but as to which a question was raised, in view of the definition in the old law.

For instance, certain kinds of volumes would not be covered under the old law. The bill repeals the old definition, and the new definition, as set forth in the bill, is as follows:

Every obscene, lewd, lascivious, indecent, filthy, or vile article, matter, thing, device, or substance.

It would repeal the presently existing definition which is:

Every letter, packet, or package, or other mail matter containing any filthy, vile, or indecent thing, device, or substance.

The net effect of the new definition is to include in definition phonograph records or other sound-recording devices capable of producing sound.

In the Alpers case the Supreme Court decided that obscene phonograph records were included within the definition, but it was a split decision, 5 to 3, and reversed a Court of Appeals decision, deciding that phonograph records were not within the prohibition of existing law. The purpose of the bill is to give legislative sanction to the decision of the Supreme Court and to remove all possible doubt.

I ask unanimous consent, in view of the importance of the general subject, that an extract from the report of the Committee on the Judiciary be printed in the RECORD at this point in my remarks.

There being no objection, the portion of the report was ordered to be printed in the RECORD, as follows:

The subcommittee of the Committee on the Judiciary investigating juvenile delinquency in the United States reports that the nationwide traffic in obscene matter is increasing year by year and that a large part of that traffic is being channeled into the hands of children. That subcommittee recommended implementation of the present statute so as to prevent the using of the mails in the trafficking of all obscene matter. The passage of S. 600 will contribute greatly in the continuing struggle to combat juvenile delinquency and the corruption of public morals.

Mr. PURTELL. I thank the distinguished Senator from Tennessee for his most satisfactory explanation of this very necessary bill. Of course, I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 600) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the first paragraph of section 1461 of title 18 of the United States Code is amended to read as follows:

"Every obscene, lewd, lascivious, indecent, filthy, or vile article, matter, thing, device, or substance; and * * *."

SEC. 2. The fifth paragraph of section 1461 of title 18, United States Code, reading "Every letter, packet, or package, or other mail matter containing any filthy, vile, or indecent thing, device, or substance; and" is hereby repealed.

RESTRICTIONS ON THE ADMISSION OF CATTLE AND POULTRY INTO THE VIRGIN ISLANDS

The bill (S. 1166) to amend section 6 of the act of August 30, 1890, as amended, and section 2 of the act of February 2, 1903, as amended, was announced as next in order.

Mr. PURTELL. Mr. President, I wonder if we may have an explanation of the bill.

Mr. ELLENDER. Mr. President, this bill is the same as S. 3800 which passed the Senate last year. It tightens up two provisions of the quarantine laws which were relaxed when the Revised Organic Act of the Virgin Islands was approved on July 22 last year.

Section 32 of the Revised Organic Act of the Virgin Islands authorized the Secretary of Agriculture to permit the admission into the Virgin Islands of cattle which have been infested with or exposed to ticks but which are tick free at the time of importation. The purpose of this provision was to permit the entry of cattle for slaughter from the British Virgin Islands, and S. 1166 would restrict this provision to cattle so imported.

Section 33 of the Revised Organic Act of the Virgin Islands took away the Secretary's authority to prohibit the introduction of live poultry into the Virgin Islands to prevent the spread of disease. S. 1166 would restore the Secretary's authority in this regard.

This bill was recommended by the Department of Agriculture as being necessary to prevent the spread of diseases of livestock and poultry in the Virgin Islands, and through them, into other parts of the United States.

Mr. PURTELL. I thank the Senator from Louisiana for his explanation of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 1166) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 6 of the act of August 30, 1890 (26 Stat. 414, 416; 21 U. S. C. 104), "An act providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes," as amended, is further amended by deleting the words "and the admission into the Virgin Islands" immediately following the word "Texas" in the first sentence of such section; deleting the period at the end of such sentence; and adding the following clause after the word "therefrom" in such sentence: "and the admission from the British Virgin Islands into the Virgin Islands of the United States, for slaughter only, of cattle which have been infested with or exposed to ticks upon being free therefrom."

SEC. 2. That section 2 of the act of February 2, 1903 (32 Stat. 791, 792; 21 U. S. C. 111), "An act to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of contagious and infectious diseases of livestock, and for other purposes," as amended, is further amended by deleting the proviso reading: "*Provided*, That no such regulations or measures shall pertain to the introduction of live poultry into the Virgin Islands of the United States."

AMENDMENT OF SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

The bill (S. 1167) to amend the Soil Conservation and Domestic Allotment Act was announced as next in order.

Mr. PURTELL. Mr. President, I wonder if we may have an explanation of the bill.

Mr. ELLENDER. Mr. President, this bill provides for soil-conservation payments to farmers who carry out conservation practices on Federal lands in order to benefit their own lands. It would not require any additional funds, but would in some situations provide the most practicable method of meeting a major conservation problem for a particular farm.

I may say to the distinguished Senator from Connecticut that the bill was recommended by the Department of Agriculture, and was introduced by me at the request of the Department.

Mr. PURTELL. I thank the distinguished Senator from Louisiana for his explanation.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 1167) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subsection (e) of section 8 of the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590h (e)), is amended by adding at the end thereof the following new sentence: "Persons who carry out conservation practices on federally owned noncropland which directly conserve or benefit nearby or adjoining privately owned lands of such persons and who maintain and use such Federal land under agreement with the Federal agency having jurisdiction thereof and who comply with the terms and conditions of the agricultural conservation program formulated pursuant to sections 7 to 17 of this act, as amended, shall be entitled to apply for and receive payments under such program to the same extent as other producers."

EXEMPTION FROM PENALTIES OF WHEAT GROWN FOR FEED AND SEED

The bill (S. 46) further to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed on the farm, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 335 of the Agricultural Adjustment Act of 1938, as amended, is further amended by adding a new subsection (f) after subsection (e) to read as follows:

"(f) The Secretary, upon application made pursuant to regulations prescribed by him, shall exempt producers from any obligation under this act to pay the penalty on, deliver to the Secretary, or store the farm marketing excess with respect to any farm for any crop of wheat harvested in 1955 or subsequent years on the following conditions:

"(1) That none of such crop of wheat is removed from such farm;

"(2) That such entire crop of wheat is used for seed on such farm, or is fed on such farm to livestock, including poultry, owned by any such producer, or a subsequent owner, or operator of the farm;

"(3) That such producers and their successors comply with all regulations prescribed by the Secretary for the purpose of determining compliance with the foregoing conditions.

Failure to comply with any of the foregoing conditions shall cause the exemption to become immediately null and void unless such failure is due to circumstances beyond the control of such producers as determined by the Secretary. In the event an exemption becomes null and void the provisions of this act shall become applicable to the same extent as if such exemption had not been granted. No acreage planted to wheat in excess of the farm acreage allotment for a crop covered by an exemption hereunder shall be considered in determining any subsequent wheat acreage allotment or marketing quota for such farm."

AMENDMENT OF ACT ESTABLISHING A COMMISSION OF FINE ARTS—BILL PASSED OVER

The bill (S. 1413) to amend the act establishing a Commission of Fine Arts was announced as next in order.

Mr. PURTELL. Mr. President, I note that the purpose of the bill is to repeal the $10,000 limit of authorization established for the expenditures of the Commission on Fine Arts at the time of its establishment. At present, the bill provides for no ceiling at all. I wonder if we may have an explanation of the bill.

I do not wish to ask that the bill be passed over, but it may well be that some Senator may wish to amend the bill from the floor, so as to place a ceiling on the limit, since presently no ceiling is provided. Perhaps there should be a limitation of $25,000 or a similar sum.

Mr. GREEN. In explanation of the bill, perhaps I should read a letter from the Chairman of the Commission of Fine Arts addressed to the President of the Senate, which reads, in part, as follows:

The proposed bill would repeal the $10,000 limit of authorization established for the expenditures of the Commission of Fine Arts at the time of its establishment May 17, 1910.

Mr. President, that was 45 years ago.

Over the succeeding 45 years, the scope of the Commission has been extended by Executive orders, and 2 additional bills have been enacted into law which have increased the mission and responsibilities of the Commission without authorizing additional appropriations. These laws are:

Public Law 231, 71st Congress, an act "to regulate the height, exterior design, and construction of private and semipublic buildings in certain areas of the National Capital."

Public Law 808, 81st Congress, an act "to regulate the height, exterior design, and construction of private and semipublic buildings in the Georgetown area of the National Capital."

During recent congressional committee hearings on appropriation estimates, note has been taken by the committee chairmen of both Houses that no change in the limit of authorization has been made since the enactment of the original legislation and it was suggested that remedial legislation should be initiated by the Commission. The Congress has recognized the Commissions need to exceed the established limit by approving appropriations beyond the authorized limit. The objective of this legislation is to eliminate the disparity between the 1910 limit of authorization and the current operating budget of the Commission.

The Bureau of the Budget has advised that there is no objection to the presentation of this proposed legislation.

Sincerely yours,

DAVID E. FINLEY,
Chairman.

Mr. McCARTHY. Mr. President, I ask that the bill go over.

Mr. PURTELL. Mr. President, will the Senator withhold his request that the bill go over so that I may ask the Senator from Rhode Island if he would consider amending the bill so as to provide a ceiling of perhaps $25,000?

Mr. GREEN. I should like to take up the matter with representatives of the Commission itself. Personally I would have no objection to fixing some limit, but I doubt very much whether the amount mentioned by the Senator from Connecticut should be the limit. I may say there may be some danger in establishing a limit. For several years the Commission has had to appear before the Appropriation Committees for additional appropriations. The provisions of the bill would make it unnecessary to do so. The bill apparently was agreeable to the committees before which the chairman of the Commission appeared, and it was introduced at their suggestion.

Mr. McCARTHY. I suggest to the Senator that the bill go over until he arrives at some top figure. I think there should be a limit on the expenditures.

The PRESIDING OFFICER. The bill will go over.

EXPENDITURES FOR HEARINGS AND INVESTIGATIONS BY THE COMMITTEE ON ARMED SERVICES

The Senate proceeded to consider the resolution (S. Res. 72) authorizing expenditures for hearings and investigations by the Committee on Armed Services, which had been reported from the Committee on Rules and Administration with an amendment, on page 1, in line 3, after the word "amended", to insert "and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate", so as to make the resolution read:

Resolved, That in carrying out the duties imposed upon it by section 136 and authorized by section 134 (a) of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, the Committee on Armed Services, or any duly authorized subcommittee thereof, is authorized during the period from April 1, 1955, ending January 31, 1956, to make such expenditures, and to employ upon a temporary basis such investigators, technical, clerical, and other assistants as it deems advisable.

SEC. 2. The expenses of the committee under this resolution which shall not exceed $160,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The amendment was agreed to.

The resolution as amended was agreed to.

PRINTING AS A HOUSE DOCUMENT OF THE PAMPHLET OUR AMERICAN GOVERNMENT: WHAT IS IT? HOW DOES IT FUNCTION?

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 85) authorizing the printing as a House document of the pamphlet Our American Government: What Is It? How Does It Function? which had been reported from the Committee on Rules and Administration with amendments, on page 1, line 10, after the word "hundred", to insert "five"; in the same line, after the word "thousand", to insert "two hundred and fifty", and in line 11, after the word "which", to strike out "twenty-four thousand seven hundred and fifty" and insert "thirty thousand", so as to make the concurrent resolution read:

Resolved by the House of Representatives (the Senate concurring), That the author of the pamphlet entitled "Our American Government, What Is It? How Does It Function?" as set out in House Document No. 465, 79th Congress, and subsequent editions thereof, revise the same, bring it up to date, and that it be printed as a public document.

SEC. 2. Such revised pamphlet shall be printed as a House document, and there shall be printed 305,250 additional copies, of which 30,000 copies shall be for the use of the

Senate; 266,150 for the use of the House of Representatives; 3,100 for the Senate Document Room; and 6,000 for the House Document Room.

The amendments were agreed to.

The concurrent resolution, as amended, was agreed to.

Mr. McCARTHY obtained the floor.

Mr. PURTELL. Mr. President, will the Senator yield so that I may ask a question?

Mr. McCARTHY. I yield.

Mr. PURTELL. In connection with House Concurrent Resolution 85, I wonder if we could have some information as to when the document which is to be printed will be available? I believe the Senator from Rhode Island [Mr. GREEN] may be able to tell us. I am referring to House Concurrent Resolution 85, authorizing the printing as a House document of the pamphlet, Our American Government: What Is It? How Does It Function? Can the Senator enlighten us as to when the document may be available?

Mr. GREEN. Yes. There has been a great demand for that document ever since it was printed.

Mr. JOHNSON of Texas. I believe the Senator from Connecticut is asking when the document will be available. I assume it will be available as soon as it is printed.

Mr. GREEN. It is already printed. I do not know how many reprints there have been, but I think there have been 6 or 7. The documents will be available as soon as there is authorization for the printing. The new edition is ready for printing.

Mr. JOHNSON of Texas. I understand it is a matter of days.

REDETERMINATION OF MARKETING QUOTAS FOR BURLEY TOBACCO FOR THE 1955–56 MARKETING YEAR

The bill (H. R. 4951) directing a redetermination of the national marketing quota for burley tobacco for the 1955–56 marketing year, and for other purposes, was announced as next in order.

Mr. ERVIN. Mr. President, that bill went over. I asked that it go over in connection with certain other bills.

The PRESIDING OFFICER. Is the Senator from North Carolina referring to Calendar No. 124, House bill 4951?

Mr. ERVIN. Yes.

The PRESIDING OFFICER. The bill has been passed over.

That completes the call of the calendar.

ADMINISTRATION POLICY REGARDING QUEMOY AND THE MATSUS

Mr. McCARTHY. Mr. President, I desire to address the Senate this afternoon, very briefly, on a matter which at this very moment is giving the Nation grave concern.

Over the weekend the newspapers reported that the administration anticipates a Communist assault on Quemoy and the Matsus in April—only weeks from now. Everybody, it seems, agrees that the Communists plan to attack those islands.

However, Mr. President, while the world is pretty well informed about Communist intentions, it is in total darkness about American intentions. The world does not know, the country does not know, Senators do not know, what America will do if Quemoy is invaded. I regard this lack of knowledge with the utmost concern.

What is serious, Mr. President, is not so much that the Senators have not been told what our intentions are, but that our enemy has not been told. I believe that the administration's failure to tell the Communists what we will do is a strategic blunder of the first magnitude.

When President Eisenhower, some weeks ago, asked Congress to state by formal resolution its approval of the decision to defend Formosa, the most conspicuous—and the most persuasive—argument in support of such a resolution was that such a declaration would inform the Communists, in advance, what our answer to further aggression would be.

This policy of prior and positive warning was regarded as the most effective deterrent to attack—the surest way to avoid war. We were reminded that World War I might have been avoided if England, in July 1914, had advised the Kaiser of her intention to fight. We were reminded that Hitler might never have attacked Poland if he could have been made sure that Britain and France would answer with a declaration of war. We were told that war would possibly never have broken out in Korea if the Communists had been advised that we would support South Korea—if Dean Acheson had not excluded Korea from our defense perimeter.

I will not argue the subject further, Mr. President, for I think the Senators agree on the wisdom of giving one's enemy advance notice of the consequences of aggression. I think most of them voted for the Formosa resolution precisely for this reason.

But now, Mr. President, where are we? We are in exactly the position that the Formosa resolution was supposed to take us out of. The Communists are preparing an attack on Quemoy, gambling that the United States will not intervene—and they are able to gamble because the administration is being coy about its intentions. Time and again in the past weeks the President and the Secretary of State have been asked for an unambiguous statement of American intentions. None has been forthcoming. The British, on the other hand, are shouting from the rooftops that Quemoy and the Matsus must be sacrificed. What are the Communists to think of all this? Are they not, Mr. President, being encouraged to stretch their luck? This is a perilous game we are playing, and an unnecessary one.

I call upon President Eisenhower to declare, before another day has passed, what America will do in the event Quemoy and the Matsus are attacked. I, for one, cannot believe that the administration will decide to sacrifice still more islands of free China to the Communists—in order to appease the Communists and please the British. But if the administration has decided against appeasement in this instance, then it must so declare. If it does not so declare its intentions, Mr. President, then the administration is deliberately inviting what may be an unnecessary war. In that event, it may have to answer to American mothers for the blood of their sons.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER [Mr. ERVIN in the chair]. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DINOSAUR NATIONAL MONUMENT AND THE COLORADO RIVER STORAGE PROJECT

Mr. WATKINS. Mr. President, I rise today to discuss a matter of great importance to the Intermountain West and all Americans who are interested in the development of our natural resources.

S. 500, which has for its purpose the authorization of the Colorado River storage project and participating projects, is now pending before the Interior and Insular Affairs Committee of the Senate. Hearings have been held, and action by the full committee is imminent. In fact, I am advised that action on it probably will be taken tomorrow at the meeting of the committee.

A similar bill was before the Senate last year but was not acted upon although it was the pending business when the Senate took its recess last August.

A phase of this bill has been the subject of a great deal of discussion and debate. I am referring to the controversy over the so-called Echo Park Dam and Reservoir. The controversy also includes a much smaller storage project downstream from Echo known as Split Mountain. Both of these reservoir sites are on the Upper Colorado River and its tributaries.

Proponents of the proposed giant reclamation program declare that these storage reservoirs—2 of 9 in the comprehensive program—are absolutely necessary to the successful operation of the project.

Opponents, essentially a southern California water lobby and a few vocal members of conservation and wildlife groups, deny this claim and assert that to permit the construction of the Echo Park and Split Mountain Reservoirs would be an invasion of a national park and would set a precedent which would endanger our national-park system, of which the Nation is justly proud.

The debate is approaching fever heat. Other units of the program and the merits of this great reclamation project are being lost in the confusion of charges and counter charges. Members of Congress have been bombarded and now are being deluged with hundreds of pressure-type letters written, and in many cases mimeographed, by well-meaning

people who honestly believe the national-park system is in real danger.

It is my purpose in this discussion to throw some much needed light on this badly muddled situation.

I shall begin by attempting to clear away some misconceptions.

The words "Echo Park" are themselves misleading. There is not now and never has been a national park named "Echo." This will not be denied.

It was an old custom in the West to designate small areas on streams, in canyons, and in the national forests as "parks." All that was required to merit the local term "park" was a clearing, or a grassy plot of ground, or a meadow bordering on a stream, or a wider place in a narrow canyon, and so forth. Hence numerous small areas on the upper Colorado River were named "parks" by the pioneers. Island Park, Browns Park, and Echo Park are outstanding examples.

It is hardly necessary to add that this practice has given rise to a mistaken belief among many people that "Echo Park" is really a national park.

In view of these circumstances, how does the controversy over "Echo Park" arise? Let me review the developments chronologically.

In 1915 President Woodrow Wilson, under the Antiquities Act, set aside an 80-acre tract of land in northeastern Utah, where some skeletons of dinosaurs had been discovered, as a national monument. This area was called Dinosaur National Monument, and that monument probably has received more publicity in the past few years than any other monument in the United States.

This 80-acre tract was a part of the public domain. Many years later—on July 14, 1938, to be exact—President Franklin D. Roosevelt, by formal proclamation, added 203,885 acres of public land to the original 80 acres and declared it, subject to some significant exemptions, to be a part of the Dinosaur National Monument.

The new area extends roughly 40 miles upstream on the Colorado River tributaries. The monument extension embraced lands on both sides of the Green and Yampa Rivers, and the area named "Echo Park" by the pioneers is included within its boundaries.

The opponents of Echo Park and Split Mountain Dams contend that this 1938 proclamation made all the area along those streams, including the Echo and Split Mountain Dam sites, a part of a national monument, and they challenge not only the propriety but also the legal right of public use of these reservoir and dam sites for water, power, and reclamation purposes.

This claim is challenged by the sponsors of the Colorado River project, who insist that valid existing rights to develop those water resources are specifically covered in the 1938 proclamation.

I am willing to go even further, and now state categorically, after an extensive search of Interior Department and Federal Power Commission records, that the areas now in controversy are not now and never have been under the exclusive possession and jurisdiction of the National Park Administration. In fact, it is extremely doubtful that the National Park Service has now, or ever has had, jurisdiction over these areas, except in a subservient capacity.

These conclusions furthermore are sustained by irrefutable documentary evidence from the records of the Federal Power Commission, an independent Federal agency set up by Congress, and the Department of the Interior.

Based on my examination of the record, evidence which I shall lay before this body, I declare without fear of successful challenge that the opponents of the Echo Park and Split Mountain Reservoirs are attempting to invade areas which were withdrawn from the public domain and set aside for the specific purpose of water and power development and conservation, by duly constituted agencies of the United States many years before the extension of the Dinosaur National Monument was ever thought of. And these withdrawn areas enjoy the same status now as they did the day they were withdrawn.

This puts the shoe on the other foot. It is not a national monument that is being invaded; it is a matter of some misled or misinformed conservationists who are trying to urge that Uncle Sam violate his integrity and treat as mere scraps of paper solemn reservations in the public interest in the Dinosaur Monument area that precede the limited monument proclamation by 17 to 34 years. It ill behooves honest conservationists to take such an untenable position, because we who love our parks and monuments should strive to preserve as honorable and legal commitments the reservations of public lands for such a noble and worthy use as parks and monuments. Therefore, how can they, in the same breath, ask that equally binding and legal reservations for water development, be invaded, especially when the monument proclamation itself recognizes and exempts from the Dinosaur Monument land reservation these previous withdrawls for water resource development?

Residents of the so-called public land States also have cause for concern lest the Congress accede to uninformed public pressure in this case, and, in effect, establish a precedent for violating reservations for power and water resource and reclamation development. Most States in the western half of the country still have thousands of acres of public lands reserved under withdrawals similar to those now in effect in eastern Utah and western Colorado for reclamation and water power, and they should be concerned lest a bonafide precedent be established that would endanger future development of public water resources in the semiarid West where water conservation has prime priority over all the other resources.

The record evidence I bring before the Senate today is known, or should have been known, to the leaders among the opponents of the Echo Park and Split Mountain projects. Even a casual research would have revealed this information to anyone, and it is a record which cannot be successfully challenged.

I charge, therefore, that the opponents of the Echo Park project have consciously or unconsciously deceived and misled thousands of sincere and well-meaning American citizens into taking a position of opposition and hostility to a very meritorious and desperately needed water-development program.

Mr. HAYDEN. Mr. President, will the Senator from Utah yield?

Mr. WATKINS. I yield.

Mr. HAYDEN. The Senator from Utah has been referring to certain ardent conservationists, who desire to preserve all wildlife and scenery and who seek to convey the idea that the Dinosaur National Monument, particularly around Echo Canyon, has been formally set aside as a national park, with such a status that it cannot be disturbed for all time to come.

I should like to point out a parallel case. President Theodore Roosevelt set aside a vast area in the vicinity of the Grand Canyon in Arizona as the Grand Canyon National Monument. Everyone agreed, when the monument was created, that it was much larger than was necessary. As a Member of the House of Representatives, I participated in the preparation of a bill defining the boundaries of Grand Canyon National Park and limiting them to the gorge in the canyon and contiguous areas around it so as to provide for proper highways. I did not think I was doing something which was absolutely sacrosanct, and that the boundaries could never afterward be disturbed for any purpose or for any use. The boundaries established may have been accurate, but they may also be subject to changes. The view which has been taken is that such boundaries when established must not be touched.

It was proposed that a dam be constructed in Bridge Canyon. The elevation of the dam was such that in the lower end of Grand Canyon National Park water would be backed up into a gorge where no one could see it 20 miles away from where the ordinary tourist visited. Yet, we were told the height of the dam would have to be reduced because Grand Canyon National Park could not be disturbed in any particular even by a small amount of backwater, which was carrying conservation, nature-loving, and wildlife protection to an utter extreme.

When that occurred, Mr. President, I lost patience, and that is why I feel that in the instance which the Senator from Utah is pointing out, if there is an absolute conflict between the necessity of obtaining water in that area of the West and the desire to preserve scenery, then scenery must give way to necessity.

Mr. WATKINS. In this particular case, reservations were made for the entire area so far as reclamation and power development were concerned. The President of the United States created a monument subject to all the prior withdrawals for reclamation and power purposes. Here we have a case of the camel getting his nose under the tent and then trying to get rid of the owner of the tent. The opponents are trying

to stop the President from action, although it was stated that the project would be subject to the dominant interests of reclamation and power development.

Mr. President, I shall now proceed to lay before my colleagues, step by step, the undisputed public record which governs the areas in dispute and determines their status:

First. The areas in controversy, originally a part of Mexico, became, at the time of the ratification of the treaty of peace with that country, a part of the public domain of the United States. These areas have been ever since that time and now are in Federal ownership and control, subject to whatever legal actions that have been taken with respect to them since that time.

Second. From October 17, 1904, through April 16, 1925, 11 withdrawals or reservations of large tracts within the areas in controversy, and including the Echo Park and Split Mountain Reservoir sites, were made either by the Secretary of the Interior or the Federal Power Commission, an independent agency set up by Congress to have authority and jurisdiction in such matters independently of the executive department, for the purposes of water and power development in the public interest. These withdrawals for the purposes mentioned and in the order in which they took place, are as follows:

First. Reclamation withdrawal of October 17, 1904—Brown's Park Reservoir site;

Second. Power site reserve No. 5, May 26, 1909;

Third. Power site reserve No. 42, August 27, 1909;

Fourth. Power site reserve No. 121, March 10, 1910;

Fifth. Power site reserve No. 721, July 11, 1919;

Sixth. Power site reserve No. 732, December 27, 1919;

Seventh. Power site classification No. 3, May 17, 1921;

Eighth. Power site classification No. 60, February 21, 1924;

Ninth. Federal Power Commission project No. 524, August 4, 1924;

Tenth. Power site classification No. 87, February 14, 1925; and

Eleventh. Power site classification No. 93, April 16, 1925.

This is the first time this complete record has been brought to the attention of the Congress and the general public.

It is important to keep this list in mind, in view of the discussion which will follow.

I believe it would be helpful to the Members of Congress and any others interested to have a further breakdown of these withdrawals, with particular reference to the authority under which they were issued. For that reason I ask unanimous consent that exhibit No. 1, which I have prepared, listing these withdrawals in one column and authority under which they were issued in an opposite column, be inserted in the RECORD immediately following my main statement.

The PRESIDING OFFICER (Mr. BIBLE in the chair). Without objection, it is so ordered.

(See exhibit 1 at end of speech.)

Mr. WATKINS. Mr. President, before proceeding with other actions listed in the records with respect to the area in controversy, I desire to make some pertinent comments on the withdrawals I have just mentioned:

The question may naturally arise, "Are all of these withdrawals still in effect?" In other words, are they still in good standing?

The answer is, "Yes."

This question was presented to the Federal Power Commission by one of my staff members in my behalf. Mr. Jerome K. Kuykendall, chairman of the Commission, answered the question in a letter which I received recently.

I wish to quote pertinent paragraphs from the letter, which I ask unanimous consent to have made exhibit No. 2:

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. WATKINS. Mr. President, I quote from the letter, as follows:

This is in furtherance to the telephone conversation of February 11 between Mr. McGuire of your office and Mr. Divine of the Commission's staff concerning the status of the lands withdrawn for power site purposes in and about the Dinosaur National Monument, Colorado and Utah.

Mr. McGuire also requested that you be advised as to: What was the status of the power withdrawals on July 14, 1938, and what is their status at this time.

In answer to that inquiry, the following power site withdrawals were in effect July 14, 1938, as to lands now within the monument boundaries and no appreciable change has been made in them since that date:

Power site reserve No.:	Date
5	May 26, 1909
42	Aug. 27, 1909
121	Mar. 10, 1910
721	July 11, 1919
732	Dec. 27, 1919
Power site classification No.:	
3	May 17, 1921
60	Feb. 21, 1924
87	Feb. 14, 1925
93	Apr. 16, 1925
Federal Power Commission project No. 524	Aug. 4, 1924

In response to the request for a sketch showing the extent of the power site lands within the monument area, I am attaching a copy of the topographic map of the Dinosaur National Monument upon which there has been superimposed the limits of the lands covered by each of the above-cited power withdrawals.

I wish to emphasize the date—July 14, 1938—and the statement by Mr. Kuykendall that power-site withdrawals were in effect at that time, because that was the date when President Franklin D. Roosevelt issued the proclamation expanding the Dinosaur National Monument from 80 acres to more than 202,000 acres, a 2,500-fold expansion.

The pertinent paragraphs of this letter show that the inquiry was about the status of lands withdrawn for power purposes within the present boundaries of Dinosaur National Monument, Colorado and Utah. The answer is also plain—the 10 power-site withdrawals were in effect July 14, 1938, and no appreciable change had been made in them since that date. The physical limits of these withdrawals are shown on a reduced reproduction of the FPC map, included with the documents on the desk of each Senator.

The documents I refer to are the 2 maps, 1 marked "A," and the other marked "B." I shall use them later in the discussion.

In other words, the status of the withdrawn lands is now the same as it was when they were withdrawn, and then the writer names the specific power withdrawals which I have already listed.

Third. When the proposal to increase the 80-acre Dinosaur National Monument some 2,500 times in size was under consideration, the National Park Service of the Department of the Interior wrote the Federal Power Commission a letter outlining the proposed program of the Service. The letter is relevant to the discussion, so I shall read it in full:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, D. C. August 9, 1934.

FEDERAL POWER COMMISSION,
Washington, D. C.

GENTLEMEN: We are studying the possibility of setting aside certain lands in northwestern Colorado as a national monument. The area considered is within the watershed shown on the map marked exhibit H (a), which accompanied an application of January 30, 1932, of the Utah Power & Light Co., for a preliminary permit, and which is on file in the Denver office of the Reclamation Bureau. The proposed monument would be affected by the Echo Park Dam site and the Blue Canyon Dam site, as indicated on the enclosed map of the proposed monument.

I hold in my hand a map which Mr. Demaray sent to the Federal Power Commission. It shows the proposed Yampa Canyon National Monument, which was later made an extension of the Dinosaur Monument, orginally containing 80 acres and some dinosaur bones.

The bones have been largely removed; but after their removal, the Government increased its holdings 2,500-fold, in order to take care of the remaining bones. I continue to read from the letter:

Such an area would be established by Presidential proclamation which would exempt all existing rights, and a power withdrawal is of course an existing right.

This is from the National Park Service. They were trying to have the property set aside as a national monument.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. MANSFIELD. The Senator mentioned dinosaur bones. When were they removed from the particular area concerned?

Mr. WATKINS. I was practicing law at Vernal, Utah. I went there in 1912, after I had graduated from law school. At that time the monument had not been set aside by President Wilson, but some excavations had been made, and some bones had been found.

The Carnegie Institute, of Pittsburgh, was financing the excavations. The discovery was rather important.

A little later, in 1915, President Wilson set aside the 80 acres surrounding the area where the bones were being uncovered. So it must have been in a period of a few years before and after 1915 when the bones were removed. Some are still there.

Mr. MANSFIELD. Have any attempts been made by the Universities of Colorado, Utah, or New Mexico to engage in that kind of activity?

Mr. WATKINS. No. The schools in that region did not have the funds with which to do it; and so long as the Carnegie Institute had the money and the time, the universities were satisfied to let the institute proceed.

Mr. MANSFIELD. Is any work being done now?

Mr. WATKINS. No; except that the land is being used as a national monument. The quarry has been abandoned for many years. There is simply a big hole in the ground. That is about all that people see when they go there.

I can readily understand why the Park Service wanted to expand the holdings. The original 80 acres was not a very impressive place.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. MARTIN of Pennsylvania. The Senator from Utah stated that the Carnegie Institute furnished the money.

Mr. WATKINS. It may have been the museum. Probably the museum would have been the one.

Mr. MARTIN of Pennsylvania. It make no difference. The Carnegie Institute engaged in 2 or 3 such activities. At that time, the Senator stated, the Carnegie Institute had plenty of money. That is correct. But by reason of inflation, and the consequent devaluation of the dollar, which has largely been caused by deficit financing, the Carnegie Institute is not now financially in a position to do the work it formerly did.

Mr. WATKINS. I thank the Senator from Pennsylvania.

I continue to read from the letter of Mr. Demaray:

> However, we feel that we should call this to your attention. If it is possible to release the power withdrawals that you now have in the area, our monument will be placed in a much better position from the standpoint of administration.

Here is direct recognition of the fact that the power filings and power withdrawals were in existence.

I read the concluding paragraph:

> If you have any data or reports on this area, we would appreciate very much receiving copies.
>
> Very truly yours,
>
> A. E. DEMARAY,
> *Acting Director.*

A map accompanied the letter showing the location of the Echo Park and Blue Canyon Dam sites to be within the areas of the proposed expansion of the monument.

It will be noted this letter was dated August 9, 1934—many years after the 11 water and power withdrawals had been made by the Department of the Interior and the Federal Power Commission.

The Echo Park Dam site was specifically mentioned by the Park Service's Acting Director, and then he made this significant statement:

> Such an area would be established by Presidential proclamation which would exempt all existing rights, and a power withdrawal is, of course, an existing right.
>
> However, we feel that we should call this to your attention. If it is possible to release the power withdrawals that you now have in the area, our monument will be placed in a much better position from the standpoint of administration.

It is important to remember that language, because when we come to the proclamation by President Roosevelt almost the identical language is used by him in exempting existing rights in those lands from the administration of the Park Service.

Fourth. The Federal Power Commission, through its Chairman, Mr. Frank R. McNinch, replied by letter under date of December 13, 1934, to the Park Service letter of inquiry. I shall read pertinent parts of the reply, reproduced in full as exhibit 3:

> DEAR DIRECTOR CAEMMERER: Reference is made to Acting Director Demaray's letter of August 9, 1934, in which the Commission was advised that you were studying the possibility of establishing a national monument along the Green and Yampa Rivers in northwestern Colorado which would embrace lands withdrawn for the proposed Echo Park and Blue Mountain power developments included in the application for preliminary permit of the Utah Power & Light Co., designated as project No. 279.
>
> Assurance was given in the letter that the Presidential proclamation establishing such a monument would exempt all existing rights, including power withdrawals, but a statement was added that if it were possible to release the power withdrawals the "monument would be placed in a much better position from the standpoint of administration." This implied request for a vacation of the power withdrawal has called for careful consideration because of the magnitude of the power resources involved and the fact that the permit application is still in suspended status pending conclusion of the comprehensive investigation of irrigation and power possibilities on the upper Colorado River and its tributaries by the Bureau of Reclamation, and a more definite determination of water allocations between the States of the upper basin. The power resources in this area are also covered by power site reserves Nos. 121 and 721 and power site classifications Nos. 87 and 93 of the Interior Department.
>
> In the application of the Utah Power & Light Co. the primary power capacity of the Echo Park site is estimated at 130,000 horsepower. This is based on the development of a head of 310 feet at the dam and a regulated flow of 4,000 cubic feet per second obtained by storage in the proposed Flaming Gorge Reservoir on Green River and Juniper Mountain Reservoir on Yampa River. At Blue Mountain the primary capacity is estimated at 19,000 horsepower based on the development of 210 feet of head and a regulated flow of 1,100 cubic feet per second.
>
> Ralf R. Woolley in his report on Green River and its utilization (Water Supply Paper No. 618, U. S. Geological Survey), proposes the development of 114,800 horsepower, primary capacity, at the Echo Park site, based on an average head of 290 feet and a streamflow of 4,950 cubic feet per second. At Johnson's Draw, which is his designation for the Blue Mountain site, Mr. Woolley proposes a primary capacity of 43,200 horsepower based on a regulated flow of 1,800 cubic feet per second and a head of 300 feet. Either of these estimates would justify installations of something like 300,000 horsepower at Echo Park and at least 50,000 horsepower at Blue Mountain.

That is what Mr. McNinch was telling the National Park Service, which had inquired as to the possibility of creating a national monument.

I continue with Mr. McNinch's letter:

> It is generally recognized that the Green and Yampa Rivers present one of the most attractive fields remaining open for comprehensive and economical power development on a large scale. Power possibilities on Green River between the proposed Flaming Gorge Reservoir and Green River, Utah, and on the Yampa River below the proposed Juniper Mountain Reservoir are estimated at more than 700,000 primary horsepower, which would normally correspond to 1,500,000 to 2,000,000 horsepower installed capacity. Excellent dam sites are available, and as the greater part of the lands remain in the public domain, a very small outlay would be required for flowage rights. The sites we are considering are important links in any general plan of development of these streams.
>
> Regardless of the disposition which may be made of the Utah Power & Light Co.'s application, and giving due consideration to the prospect that some time may elapse before this power is needed, the Commission believes that the public interest in this major power resource is too great to permit its impairment by voluntary relinquishment of two units in the center of the scheme. The Commission will not object, however, to the creation of the monument if the proclamation contains a specific provision that power development under the provisions of the Federal Water Power Act will be permitted.

I interpolate, Mr. President, to say that this is exactly what Mr. Roosevelt did in the proclamation in which he expanded the 80-acre tract to more than 200,000 acres.

I now proceed to comment on this letter. First I call attention to the fact that the "two units in the center of the scheme" were Echo Park and Blue Mountain dam sites.

It is manifest that the Federal Power Commission clearly rejected the request for a vacation of the power site withdrawals, pointing out that the request had "called for careful consideration because of the magnitude of the power resources involved and the fact that the permit application [Utah Power & Light Co.'s application for a permit] is still in suspended status pending conclusion of the comprehensive investigation of irrigation and power possibilities on the upper Colorado River and its tributaries by the Bureau of Reclamation and a more definite determination of water allocations between the States of the upper basin."

No doubt the Commission had in mind what was being done at that particular time by the Bureau of Reclamation, including the Geological Survey, under the direction of Mr. Ralf Woolley, one of the outstanding engineers in that area, who died not long ago in my native State.

It is interesting and important to note that in this letter Mr. McNinch recognized and called attention to the fact that there was a comprehensive investigation of irrigation and power possibilities taking place on the upper Colorado River and its tributaries by the Bureau of Reclamation. The truth is that this investigation had been going on for

many years, a fact which was well known not only to the Federal Power Commission but also to the National Park Service.

It was well known also that the States of the upper basin—to wit, Colorado, New Mexico, Utah, and Wyoming—had not yet entered into a compact for the allocation of the water supply which each State would get out of that portion of the Colorado River awarded to the upper basin by the 1922 Colorado River compact.

Mr. McNinch, for the Commission, further declared that this area was "one of the most attractive fields remaining open for comprehensive and economical power development on a large scale" and that sites under consideration "are important links in any general plan of development of these streams." So the Park Service could not plead ignorance of what was taking place there and what Mr. McNinch meant. Incidentally, it should be pointed out that before a monument could be created there, the records would have to be checked to see what the status of the lands was. If that had been done, the records would have been seen, and it would be known that what I have introduced into the RECORD so far is absolutely correct.

The reply also emphasized "that the public interest in this major power resource is too great to permit its impairment by voluntary relinquishment of two units—Echo Park and Blue Mountain Dam sites—in the center of the scheme."

I quoted the letter at this point in my discussion for the purpose of showing that the Federal Power Commission was insisting that its withdrawals in the public interest were still in good standing and that fact was recognized in December 1934 by the National Park Service. Furthermore, the validity of these withdrawals was not questioned by the National Park Service at that time, and to my knowledge has not been challenged since then. In fact, the validity was affirmed specifically in the 1938 proclamation itself. I shall discuss the proclamation and its meaning and effect later at length.

Fifth. Another letter, under date of November 6, 1935, written by the late Harold L. Ickes, Secretary of the Interior, to Chairman Frank R. McNinch, Federal Power Commission, was a 1935 followup along the lines taken by the National Park Service in the Demaray letter.

Mr. Ickes said, in part, in that letter (exhibit No. 4):

> The Utah Power & Light Co. filed an application in January 1932 for a preliminary permit for a power-site reservation in the Yampa and Green River section. This application was on file in the Denver office of the Reclamation Bureau. Recently, however, the Utah Power & Light Co. voluntarily withdrew their application. This suggests that the power resources of the section may not be as important as originally believed.
>
> I shall appreciate receiving your opinion as to the possibility of releasing the power withdrawals that exist in the area. By such action the proposed monument would be placed in a much better position from the standpoint of administration.

In this communication no less an authority than the Secretary of the Interior recognizes that valid power-site withdrawals existed in the area of the proposed Dinosaur Monument extension. Secretary Ickes also recognized that the Federal Power Commission had jurisdiction over those extensive reserved areas by virtue of the Federal Water Power Act of 1920.

At this point I call attention to two maps, copies of which have been placed on each Senator's desk. Mr. President, I shall appreciate it if my colleagues will examine the maps. As I proceed, I shall explain their significance.

Map A shows the location and the boundaries of the 10 power withdrawals to which I have already directed your attention. It also has indicated the boundaries of the enlarged Dinosaur National Monument.

Map B was prepared, for illustrative purposes, from map A. The withdrawals are colored black for emphasis.

I believe my colleagues will be able to understand just what these maps mean, by reading the legends and the descriptive matter which appears on them. On the maps Senators will notice that the boundary of the expanded Dinosaur National Monument is indicated in the heavy lines around the area. The withdrawn areas are colored black or blue on map B. It will be noted that those withdrawn areas—all of which were withdrawn many years prior to the expansion of the Dinosaur National Monument to more than 200,000 acres—include practically all the area along the rivers and the canyons in the expanded Dinosaur National Monument. In fact, I think only a very few acres are not so included.

Mr. NEUBERGER. Mr. President, will the Senator from Utah yield?

Mr. WATKINS. I yield.

Mr. NEUBERGER. I could not hear everything the Senator from Utah was saying when I was sitting over in "coffin corner," so I am now sitting in proximity to the Senator from Utah.

Mr. WATKINS. I am very glad to have the Senator from Oregon sit close by.

Mr. NEUBERGER. If I misunderstood the Senator from Utah, I hope he will correct me. Is it his contention that the so-called conservation groups are not correct in their claim that land to be flooded by the proposed Echo Park Dam will be within the boundaries of Dinosaur National Monument?

Mr. WATKINS. The lands to be flooded will be within the boundaries of the expanded Dinosaur National Monument. However, my point is that all these lands were withdrawn many years prior to the issuance of the proclamation by President Roosevelt on July 14, 1938, and in that proclamation he specifically exempted the lands which are in the flooded area. All of them were withdrawn in advance.

Mr. NEUBERGER. Mr. President, will the Senator from Utah yield further to me?

Mr. WATKINS. I yield.

Mr. NEUBERGER. Was this point called to the attention of the groups which have testified in opposition to the Echo Park proposal when they appeared before the Reclamation Subcommittee?

Mr. WATKINS. I called it to the attention of General Grant, I think, in 1954, when the Senate committee was holding hearings. It has been called to the attention of those groups in a general way many, many times, and I think they tried to evade it. But, so far as I know, this is the first time the specific withdrawals, showing the location, the date, the extent, and so forth, have been placed before either this body or the committees of either House.

Mr. NEUBERGER. Why was not this point brought up earlier, farther removed from the final date—which is tomorrow, I believe—for consideration by the full committee in connection with the recommendations of the subcommittee as to the upper Colorado project?

Mr. WATKINS. Speaking for myself, I may say that, of course, we lead a rather busy life because of committee hearings, floor duties, and other work, and I had always taken it for granted that there would be no real dispute about those withdrawals, which had been mentioned many, many times before. But, to my chagrin, I found that many persons who are honest and sincere did not know about the withdrawals, and the only way to show them was by using a map to block them out so as to indicate them clearly and also give the dates.

We have been working a month and a half on this material, and the work was finally completed on Saturday. It was our desire to present the material to both bodies before now. I presented the same statement to the House committee this morning; and certainly I would have presented it before now to the Senate if I had been able to get it ready in sufficient time.

Mr. NEUBERGER. It is certainly my opinion, although I may be in error, that if this is new material, the committee or the subcommittee certainly should reopen its consideration of the Echo Park project, so that the groups on the other side may have an opportunity to answer the questions raised.

Mr. WATKINS. I would say that in a House committee memorandum last year, most of this material was carried in a general way, although without going into details, and without giving it in illustrative form, as I am attempting to do today. That was done last year, and it was discussed several times in the hearings last year.

This year we have not attempted to go back over all that material and ask all the questions which previously were asked of the witnesses. This is not new material, but it is a presentation in a new way of a great deal of old matter that the Park Service officials had in their possession all the time; and I would say that the Department officials knew about it all the time and never raised any question about it. In fact, during those times they agreed with Mr. Roosevelt and Mr. Ickes.

It has been only recently that some of those who claim to be conservationists have made an issue over the matter. In other words, they are now going back on the agreement which was entered into by Mr. Roosevelt, Mr. Ickes, Mr. Demaray, and the Power Commission repre-

sentatives, and, in general, the people of the upper Colorado States.

Mr. NEUBERGER. Did the conservation groups enter into any agreement?

Mr. WATKINS. They did not enter into an agreement; but the people in the Government who represent the conservation interests of the United States did.

Mr. NEUBERGER. Of course, I am sure the Senator from Utah will agree that no group of private citizens—whether in the Izaak Walton League, the Audubon Society, or any other organization—need be bound by what the President of the United States and the Secretary of the Interior of another era have done.

Mr. WATKINS. No; they do not have to be bound by them. But in good faith, when a matter of that kind has been taken care of, and when people's rights are involved, they certainly should stand by the decisions which have been made by the responsible officials of the Government at the time. Of course, we cannot bind any citizen of this country to anything. He has the right to object, to oppose, and to fight any time he wishes to do so.

Mr. NEUBERGER. The Senator inferred that they are breaking some kind of agreement. I do not think they are. They were never parties to any agreement.

Mr. WATKINS. This is why I am going after them: They are saying that we are invading a national park, that the national park system is being invaded, and that this project would set a dangerous precedent. They have shouted that claim all over the United States. It has become their theme song. I am pointing out that there is no invasion. I am pointing out that if there is any invasion they are doing the invading. They are trying to invade these withdrawals made for the purpose of conserving water, the most precious thing we have in the arid West, as the Senator well knows. They are doing the invading. The shoe is on the other foot. They represent the camel who has its nose under the tent. They are trying to kick out the people who have been working in that area all these years. The shoe is entirely on the other foot. That is what I am trying to make clear in this debate. I think the record conclusively proves my contention.

Mr. NEUBERGER. It is correct, however, that there will be commercial activity within the boundaries of the national monument if the Echo Park project is authorized as a part of the upper Colorado undertaking.

Mr. WATKINS. There will be nothing except what the Government of the United States builds.

Mr. NEUBERGER. I understand that, but it still is——

Mr. WATKINS. It still is carrying out the purposes of the Reclamation Act, and carrying out the purposes of the Water Power Act. It will be built by the United States through the Bureau of Reclamation, if it is authorized. There can be no doubt that such activities on the part of the United States are proper. That was decided a long time ago, and the program has been in operation for more than 50 years.

Mr. NEUBERGER. No one says that such activities are improper; only that it constitutes something of a new departure to have them within the borders of a national park or monument.

Mr. WATKINS. The water and power withdrawals were there first. The monument advocates knew that they were there. They were perfectly willing to have the monument expanded, with the provision that they would be subject to the dominant interest of water power and reclamation. That has been more or less the common practice.

Mr. NEUBERGER. There was timber cutting in the Olympic Peninsula long before the national park was created; but when the park boundaries were created, timber cutting had to cease within the boundaries of the park.

Mr. WATKINS. That was because it was not reserved in the proclamation as President Roosevelt reserved the right to develop water and power in this Dinosaur area. As I proceed, the Senator will see that I take care of all the questions he has raised.

Mr. NEUBERGER. I shall be very much interested to listen further.

Mr. WATKINS. The Brown's Park reclamation withdrawal—No. 1 in the list previously offered—is not shown on this map. It started at a point about 6½ miles south of the monument's north boundary and extended for approximately 20 miles up the Green River. But at least 6½ miles of that withdrawal are within the boundaries of the Dinosaur National Monument area.

Interesting features of this map are the location and the relative size of the original 1915 Dinosaur Monument withdrawal as compared with the enlarged monument. The small original withdrawal of 80 acres is colored red on map "B." If Senators will look at the map they will see that the original 1915 Dinosaur Monument withdrawal is indicated in the lower left-hand corner of the map. It is the little red spot to which the red arrow points, consisting of 80 acres, as compared with the vast area which was taken in by the proclamation expanding the monument. That was not in dispute in any way. There were no other withdrawals of any kind that interfered with the full use of that 80-acre area as a national monument.

It will be seen that virtually the entire river area within the enlarged Dinosaur Monument is covered by the prior water and power withdrawals. In fact, the withdrawals also extend a considerable distance on either side of the river at many points.

It also should be noted that the controversial Echo Park and Split Mountain Dam sites are located on the map, both clearly within the withdrawn areas.

I think Senators can locate those features. The Split Mountain dam site is not far upstream from the original Dinosaur Monument. It is indicated by the arrow pointing to that spot. The Echo Park dam site is farther upstream at a point just below the union of the Yampa and Green Rivers, two tributaries of the Colorado.

The situation is clearly indicated on the map. So all the area in dispute was in these reclamation and water power withdrawals, which had occurred many years before the 1938 expansion.

The number and date of the withdrawals also are printed on the map. This map should be helpful in understanding the proclamation issued by President Roosevelt in 1938, increasing the size of the Dinosaur National Monument from its original 80 acres some 2,500 times to its present area of over 203,000 acres.

Sixth. On January 6, 1936, Chairman McNinch of the Federal Power Commission, replied to Secretary Ickes. The complete text of his reply is reproduced as exhibit No. 6.

In the letter Mr. McNinch rejected the Interior Secretary's request to vacate the power withdrawals and quoted from his own 1934 letter the paragraph which explains why the FPC could not, in the public interest, release the reservations preserving power resources of such magnitude.

Seventh. Although chronologically out of place, the next document—exhibit No. 5—which should be considered is the proclamation issued by President Woodrow Wilson under date of October 4, 1915, creating the Dinosaur National Monument. From it I quote the whereas paragraph:

> Whereas, in section twenty-six, township four south, range twenty-three east of the Salt Lake meridian, Utah, there is located an extraordinary deposit of dinosaurian and other gigantic reptilian remains of the Juratrias period, which are of great scientific interest and value, and it appears that the public interest would be promoted by reserving these deposits as a national monument, together with as much land as may be needed for the protection thereof.

After using the necessary language to set aside this area as a national monument, the President makes this statement:

> While it appears that the lands embraced within this proposed reserve have heretofore been withdrawn as coal and phosphate lands, the creation of this monument will prevent the use of the lands for the purposes for which said withdrawals were made.

That, in effect, canceled out those withdrawals. The reason why I say it canceled them out is that the development of phosphate and coal in that area could not proceed if dinosaur bones were being dug out. The digging for dinosaur bones had already been in progress. Nothing had been done about the development of coal and phosphate lands. The area lay vacant for many years. There had been no mineral developments whatever there.

It will be noted that this proclamation makes no reference to valid existing rights, and to my knowledge no power or reclamation withdrawals ever applied to this 80-acre area. In fact, the above language effectively rescinds mineral reservations which previously had applied to these lands. This gave the original 1915 monument a tight land reservation, and no one has ever challenged it.

Back in 1915 President Wilson decided that the 80-acre land reservation was adequate to protect the extraordinary deposits of dinosaurian and other gigantic reptilian bones. Twenty-three

years later President Roosevelt, under the prodding of Interior Secretary Ickes, decided that the protection of these bones required 203,885 acres in addition to the 80 acres originally set aside. This 2,500-fold extension ultimately was ordered, in spite of the fact that practicaly all of the known deposits of bones in the original 80-acre site had been excavated and removed from the monument. The 1938 action seemed to be a case of setting aside many more acres to protect a greatly reduced number of dinosaur bones.

In my opinion, President Wilson and his advisers, in issuing the 1915 monument order, were keeping strictly within the powers of the President under the Antiquities Act. On the other hand, it is extremely doubtful that the 1938 proclamation of President Roosevelt can be sustained as a matter of law. A casual reading of the Antiquities law of June 8, 1906, and of this latter proclamation will be sufficienet to point up what I am saying. However, I am not urging that this unjustified expansion of the Dinosaur Monument be upset, because it is my view that the area in controversy can be used both for reclamation and National Monument purposes, and those uses are both in the interests of the public.

Eighth. We now come to the Dinosaur National Monument expansion proclamation issued by President Franklin D. Roosevelt in July 1938, which I quote in full, except for the land description:

PROCLAMATION—JULY 14, 1938 (53 STAT. 2454)—ENLARGING THE DINOSAUR MONUMENT, COLORADO AND UTAH, BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

Whereas certain public lands contiguous to the Dinosaur National Monument, established by Proclamation of October 4, 1915, have situated thereon various objects of historic and scientific interest; and

Whereas it appears that it would be in the public interest to reserve such lands as an addition to the said Dinosaur National Monument;

Now, therefore, I, Franklin D. Roosevelt, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the act of June 8, 1906 (chapter 3060, 34 Stat. 225 U. S. C., title 16, sec. 431), do proclaim that, subject to all valid existing rights, the following-described lands in Colorado and Utah are hereby reserved from all forms of appropriation under the public-land laws and added to and made a part of the Dinosaur National Monument: * * * aggregating 203,885 acres.

The language "subject to all valid existing rights" is extremely important, in view of the correspondence between the Park Service and the Federal Power Commission. Of course the Federal Power Commission is not an agency of the Interior Department, rather it is an independent agency created by Congress.

Quoting further from the Proclamation:

Warning is hereby expressly given to any unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

The reservation made by this proclamation supersedes as to any of the above-described lands affected thereby, the temporary withdrawal for classification and for other purposes made by Executive Order No. 5684 of August 12, 1931, and the Executive Order of April 17, 1926, and the Executive Order of September 8, 1933, creating Water Reserves No. 107 and No. 152.

I interpolate at this point to say that neither of the withdrawals mentioned in the Executive order of September 8, 1933, is involved in this controversy.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument as provided in the act of Congress entitled "An act to establish a National Park Service, and for other purposes", approved August 25, 1916, (39 Stat. 535; U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof, except that this reservation shall not affect the operation of the Federal Water Power Act of June 10, 1920 (41 Stat. 1063), as amended, and the administration of the monument shall be subject to the reclamation withdrawal of October 17, 1904, for the Browns Park Reservoir site in connection with the Green River project.

The language "except that this reservation shall not affect the operation of the Federal Water Power Act of June 10, 1920," and so forth, is almost identical with the words used by Mr. McNinch in his letter, in which he said that if language like that were inserted, the Federal Power Commission would go along with the legislation. Long investigations were held on that point, and a large amount of money was spent on the investigations, as well as in the investigations by Mr. Ralf Woolley. All these activities, we must bear in mind, were a part of the consideration of the subject and were a part of the agreement which was entered into through correspondence between the various agencies involved, as well as in the final carrying through of the matter by the President of the United States.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this 14th day of July, in the year of our Lord 1938, and of the independence of the United States of America the 163d.

FRANKLIN D. ROOSEVELT.

By the President:

CORDELL HULL,
The Secretary of State.

First, it will be noted that this proclamation was issued many years after the 11 reclamation and water and power withdrawals previously referred to were ordered by legally constituted authorities.

In the first paragraph it will be noted how weak the case is for increasing the monument acreage some 2,500 times in size, when the best the President can say is that the areas are contiguous to the Dinosaur National Monument and "have situated thereon various objects of historic and scientific interest."

I point out that in the hearings held by the Senate and House committees it was shown that there is very little material in that area which is of exceptional direct scientific and historic interest, although, of course, the whole crust of the earth is of general scientific interest. Outside the area under consideration there are a great number of canyons and other areas which contain much more material of scientific and historic interest than is contained in the area the President of the United States added.

Contrast the statement in the first paragraph with the specific description in the opening paragraph of the Wilson proclamation heretofore cited, in which the President definitely pointed out that the bones which had been found were of great interest.

In the third paragraph, President Roosevelt makes the Monument "subject to all valid existing rights." There is not the slightest doubt that officials in the Interior Department, Park Service and the Secretary of the Interior, had in mind the water and power withdrawals which I have listed and discussed previously. It will be remembered that Acting Director of the National Park Service, A. E. Demaray, made this statement in his letter of August 9, 1934, to the Federal Power Commission, in which he discussed the proposed extension of Dinosaur National Monument: "Such an area would be established by Presidential Proclamation which would exempt all existing rights, and a power withdrawal is of course an existing right."

The Park Service and Secretary Ickes did all they could to get the Federal Power Commission to cancel the power withdrawals, but failed, as the record shows. The proclamation accordingly was prepared for the signature of the President, who ordered that the expanded monument would be "subject to all valid existing rights." There is not the slightest doubt as to what rights were intended by that statement.

It was only in recent times that the new idea that we are now invading the national park system came into being.

The President in the next to the last paragraph of the proclamation directs that the National Park Service shall have the supervision, management, and control of this Monument "except that this reservation shall not affect the operation of the Federal Water Power Act of June 10, 1920, as amended, and the administration of the Monument shall be subject to the reclamation withdrawal of October 17, 1904, of the Browns Park Reservation site in connection with the Green River project."

I repeated those words for emphasis, because they are important to this discussion.

Once again let me say that the National Park Service and the Secretary of the Interior's Office, including those who drafted this proclamation, clearly had in mind the listed withdrawals which had been made by the Secretary of the Interior and the Federal Power Commission in the area of the proposed expansion of the Dinosaur National Monument. They doubtless also had in mind that these exempted reservations were for public use, to-wit: The building of waterpower and reclamation projects, the latter including water and power developments in accordance with the Reclamation Act. The Reclamation Bureau is a part of the Department of the Interior, and certainly no Secretary of the Interior who was on the job as vigorously as Mr. Ickes was could have escaped knowing that the entire river area within the proposed expansion of the Dinosaur National Monument had been, and was at the time, under intense plan-

ning operations for Federal reclamation projects.

In fact, Mr. Ickes' park director was so advised in a letter from FPC Chairman McNinch, previously introduced as exhibit No. 3.

By incorporating those specific exemptions for water and power reservations, therefore, the Interior Department and President Roosevelt must be given credit for attempting to protect the programs which were then being worked out for the benefit of the upper basin States in order that they might put to a beneficial use the water allotted to them under the Colorado River compact of 1922.

Also, it should be remembered that the United States was a party to that compact, and the responsible officials in the Interior Department at the time knew that in order to put that water to use the upper basin States would have to have projects built under the United States reclamations laws. For that purpose, the Federal Government itself would be the responsible agent in building that project. This means that there would be no necessity for licensing of dams by the FPC in this particular area. It would be necessary for Congress to authorize the construction of such dams, which it has full authority to do, and all the talk about the restriction of FPC licensing authority under the 1921 and 1935 amendments to the Federal Water Power Act of 1920 has just been a legal smokescreen to obscure the facts.

Another phase of what would be existing rights in this particular instance is extremely interesting. It is no doubt well known by Members of the Congress that withdrawals for reclamation projects, including water and power development, reserve public lands for the building of storage dams, reservoirs, conduits, powerplants, transmission lines, canals, and all incidental facilities required or used in connection with reclamation projects.

All these needs, of course, are equally well known to the Department of the Interior, Bureau of Reclamation, and to the National Park Service, both agencies within the Department. They went into it with their eyes open, and they knew they could not administer it as they said they would like to administer it.

With such uses in mind, it would be physically impossible for the Park Service to have the dominant interest in the Dinosaur Monument area if this water-development project should be built.

That does not mean, however, that a program for very effective recreational use of the areas which are not inundated by the water in the reservoirs—and this would be about nine-tenths of the monument area—cannot be successfully undertaken. The reverse is true, as many competent witnesses have reported to congressional committees. In fact, plans have been made for the expenditure of some $21 million to develop a great recreational area at Dinosaur Monument, which will be available for the use of all Americans.

They have gone ahead in good faith and, in order to make the joint operation work, they have planned a $21-million development. It is in the report and testimony of the Reclamation Bureau on this program. It will make available this great area to all the people of the United States.

It is significant also that this 1938 proclamation is absolutely unique among the more than 100 national monument proclamations which my staff and I have examined. Nowhere else in the proclamations and laws pertaining to national parks and monuments have I been able to find another order which contains specific exemptions of both power and reclamation withdrawals. A few monument proclamations contain reclamation exemptions—notably to protect water supplies of the Southwest Indians—but no other monument proclamation, to my knowledge, contains a specific exemption of power withdrawals as does the Dinosaur Monument extension order of 1938.

Our staff study also disclosed that at least 12 national parks are covered by provisos inserted in legislation pertaining to them, expressly stating that the terms of the 1920 Federal Water Power Act do not apply to the lands embraced then and in the future in those respective parks. Such a legislative proviso, incidentally, was written into an act of June 20, 1938 (52 Statutes 781), pertaining to Hawaii National Park, so it is apparent that the Congress in that year was familiar with the fact that valid existing public-land reservations under the Federal Power Act may apply to park and monument land withdrawals, and that Congress may recognize one or the other.

Important and relevant to this discussion is an opinion written by Nathan R. Margold, Solicitor of the Interior Department. The opinion is dated December 5, 1939, a little over a year after President Roosevelt's proclamation expanding the Dinosaur National Monument. Mr. Margold was Solicitor during most of Harold L. Ickes' term of office as Secretary of the Interior, and, specifically, he was the Department Solicitor at the time of the 1938 proclamation enlarging the Dinosaur National Monument.

The opinion involves two questions. The first and most important is: "May a national monument be created subject to the reclamation withdrawals and power site classifications and thereby preserve and continue the effectiveness of the withdrawals and classifications?" Since the opinion itself will point up matters under consideration here and the reasons for the decision, I ask unanimous consent that it be incorporated in the RECORD at this point in my remarks.

There being no objection, the opinion was ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SOLICITOR,
Washington, December 5, 1939.

The Honorable the SECRETARY OF THE INTERIOR.

MY DEAR MR. SECRETARY: My opinion has been requested concerning certain legal questions arising out of the proposal to establish by proclamation the Sawtooth National Monument in Idaho. The lands involved in the proposed national monument are within the Boise, Challis and Sawtooth National Forests. Certain of the lands have been withdrawn pursuant to section 3 of the act of June 17, 1902 (32 Stat. 388), for reclamation purposes in connection with the Boise project. In addition, certain of the lands are affected by four power site classifications made by the Secretary of the Interior pursuant to the act of March 3, 1879 (20 Stat. 394). The questions presented for my consideration are:

1. May the national monument be created subject to the reclamation withdrawals and power site classifications and thereby preserve and continue the effectiveness of the withdrawals and the classifications?

2. In the event that the national monument is created subject to the classifications, will the Federal Power Commission thereafter be authorized to grant licenses affecting the classified lands pursuant to the Federal Water Power Act (41 Stat. 1063), as amended?

It is my opinion that the first question must be answered in the affirmative and the second question in the negative.

The act of June 8, 1906 (34 Stat. 225), provides in part as follows:

"That the President of the United States is hereby authorized, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected."

It may be seen from the foregoing statute that the sole requirement concerning the status of lands included within national monuments is that such lands be owned or controlled by the Government of the United States. There can be no doubt that the lands here in question are so owned and controlled. There is nothing in this statute nor in any other statute with which I am familiar that would prohibit lands, otherwise appropriate, from being included in a monument subject to prior reservations and classifications of the character here involved. The practice of establishing monuments in connection with lands subject to prior reservations for other purposes is one that has existed from the very inception of the national monument legislation. In 1908 the proclamation creating the Grand Canyon National Monument (35 Stat. 2175) provided as follows:

"The reservation made by this proclamation is not intended to prevent the use of the lands for forest purposes under the proclamation establishing the Grand Canyon National Forest, but the two reservations shall both be effective on the land withdrawn, but the national monument hereby established shall be the dominant reservation."

In the case of *Cameron* v. *United States* (252 U. S. 450) the Supreme Court of the United States approved the validity of this national monument and, in so doing, stated (p. 455):

"The tract is on the southern rim of the Grand Canyon of the Colorado, is immediately adjacent to the railroad terminal and hotel buildings used by visitors to the canyon, and embraces the head of the trail over which visitors descend to and ascend from the bottom of the canyon. Formerly it was public land and open to acquisition under the public-land laws. But since February 20, 1893, it has been within a public-forest reserve established and continued by proclamation of the President under the acts of March 3, 1891 (ch. 561, sec. 24; 26 Stats. 1095, 1103), and June 4, 1897 (ch. 2; 30 Stats. 34–36); and since January 11, 1908, all but a minor part of it has been within a monument reserve established by a proclamation of the President under the act of June 8, 1906, chapter 3060, 34 Statues 225. The forest reserve remained effective after the creation of the monument reserve, but insofar as

both embraced the same land the monument reserve became the dominant one."

In the proclamation of January 13, 1908 (35 Stat. 2176), establishing the Tonto National Forest is was provided that "since the withdrawal made by this proclamation and any withdrawal heretofore made for national irrigation works are consistent, both shall be effective upon the land withdrawn, but the withdrawal for national irrigation works shall be the dominant one and may, when necessary, be changed to a withdrawal for irrigation from such works." This practice has been followed through the years to the present time. As recently as July 14, 1938, the proclamation relating to the Dinosaur National Monument provided that the administration of the monument was to be subject to a prior reclamation withdrawal.

In the light of this long and persistent practice, there can be no reasonable doubt as to the legal propriety of establishing national monuments subject to prior reservations for other purposes (see *United States* v. *Midwest Oil Company* (236 U. S. 459).

The second question involves the authority of the Federal Power Commission pursuant to the Federal Water Power Act (41 Stat. 1063), as amended by the Federal Power Act (49 Stat. 838). It is clear that the Federal Power Commission is by statute expressly prohibited from granting licenses for power works within national monuments. Section 3 of the Federal Water Power Act, as amended by section 201 of the Federal Power Act. In my opinion of August 19, 1938 (M. 29936), I so held. It follows that if the lands affected by the power site classifications are included in the national monument, the Federal Power Commission will be without authority to grant licenses affecting them. Any attempt to preserve this authority in the Commission by specific provisions in the national monument proclamation would be ineffective since the authority of the Commission has been prescribed by Congress and cannot be extended by provisions in an Executive proclamation of this character.

I am, accordingly, of the opinion that the proposed Sawtooth National Monument may be established subject to the reclamation withdrawals and power site classifications affecting certain of the lands therein, thereby preserving and continuing the effectiveness of the withdrawals and classifications, but that the Federal Power Commission will thereafter be without authority to grant licenses pursuant to the Federal Water Power Act, as amended, relating to the lands given a national monument status.

Respectfully,

NATHAN R. MARGOLD,
Solicitor.

Approved December 5, 1939.

OSCAR L. CHAPMAN,
Assistant Secretary.

Mr. WATKINS. I continue with my comments on the opinion of Mr. Margold, Solicitor of the Department of the Interior, with respect to the time—July 14, 1938—the proclamation was signed by President Roosevelt. Mr. Margold wrote the opinion on which I am commenting, in 1939.

My first comment on this opinion is to point up the fact that Mr. Margold was in full agreement with the procedure that had been carried out in the Dinosaur Monument Proclamation of 1938.

After quoting the statute under which the President of the United States would act in creating a national monument, Mr. Margold declares:

There is nothing in this statute nor in any other statute with which I am familiar that would prohibit lands, otherwise appropriate, from being included in a monument subject to prior reservations and classifications of the character here involved. The practice of establishing monuments in connection with lands subject to prior reservations for other purposes is one that has existed from the very inception of the national-monument legislation.

Several instances are cited in support of the opinion.

One of them is the Dinosaur National Monument proclamation. Another is the citation of three areas which are equally appropriate to and apropos of this discussion.

The second question discussed by Mr. Margold was:

In the event that the national monument is created subject to the classifications, will the Federal Power Commission thereafter be authorized to grant licenses affecting the classified land pursuant to the Federal Water Power Act (41 Stat. 1063), as amended?

This question is not really material to the present controversy for the reason that in the case of the area under controversy the withdrawals were all made a long time prior to the expansion of the Dinosaur National Monument.

Furthermore, there is no reason why there should be any licenses issued by the Federal Power Commission in this case. When the Echo Park and Split Mountain Dams are built, if the bill authorizing them shall be passed and the money appropriated, they will be constructed by the United States through the Bureau of Reclamation. No private individuals, corporations, or entities are asking for FPC licenses to build these reservoirs and power facilities. The United States owns the lands; they have been reserved by proper authority.

It should be made clear that when the Federal Government is to build and operate reclamation works, including water facilities and powerplants, it does so in its sovereign capacity and is not under the necessity of going to any of its own agencies, such as the FPC, for a license to perform those functions. A mere statement of the case makes it abundantly clear that this is the correct position.

I might say that it would be as appropriate for a Senator to go to his administrative assistant and obtain permission to do certain things in connection with the discharge of his senatorial duties as to make the kind of argument which has been made, namely, that the Government must obtain a license from FPC, one of its agencies, to construct these dams.

The act creating the Federal Power Commission, incidentally, not only gave the FPC power to issue permits and licenses for power resource development on public lands, but also gave it jurisdiction over public lands reserved for potential power development; and that is shown in the opinion which I did not read, but which I had intended to read, and which opinion is now in the RECORD. Mr. Margold makes it very clear that the licensing power is quite a different thing than the power to make reservations for public development, in the public interest, by the United States itself, through its Bureau of Reclamation.

I have shown that the FPC and the Bureau of Reclamation retain such jurisdiction over reserved river lands of the Dinosaur Monument, and Mr. Margold's opinion bears out my conclusion. Licensing of projects by the FPC in this area is not proposed and is not an issue in this matter whatsoever.

The conclusion that must be drawn from this documentary study is that the Dinosaur Monument canyon lands, which conservationists have been mistaken in believing were in the exclusive possession of the National Park Service, actually have never been so possessed. The scenic canyons of the Green and Yampa Rivers which uniformed or misled conservationists have been praising in manifold and expensive propaganda brochures and national publications, actually have been reserved and protected all along by the Bureau of Reclamation and the Federal Power Commission and are under the jurisdiction of these agencies today. The National Monument lands, reserved in that extremely limited monument proclamation of 1938, merely surround these canyons, which themselves have been reserved as a public trust for water resource development since the early 1900's.

Furthermore, it is obvious that if the Congress recognizes these older and well-established water resource development rights over the 17-year-old inferior monument rights of the 1938 proclamation, no precedent would be established to endanger the National Park system. This is obvious, because, as I have stated, no other park or monument act or proclamation contains similar exceptions to the double exemption found in the Dinosaur Monument proclamation of 1938 made by former President Roosevelt. These exemptions clearly establish that the rights to water resource development in this desert area have both legal and historical precedence over the greatly restricted monument land reservation.

Former Secretary of the Interior Oscar L. Chapman also reached the conclusion that no precedent was involved, after a thorough study of this matter in 1950. Following a hearing on the proposed construction of the Echo Park and Split Mountain dams as part of the overall development of the upper Colorado River Basin, he made this significant statement in a memorandum dated July 27, 1950:

Weighing all the evidence in thoughtful consideration, I am impelled in the interest of the greatest public good to approve the completion of the dams in question, because:

(a) I am convinced that the plan is the most economical of water in a desert river basin and therefore in the highest public interest; and

(b) The order establishing the extension of the monument in the canyons in which the dams would be placed contemplated use of the monument for a water project, and my action, therefore, will not provide a precedent dangerous to other reserved areas.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. NEUBERGER. Will the distinguished Senator advise me whether that was Secretary Chapman's final position with regard to that project while he was a member of the Cabinet, in charge of the Interior Department?

Mr. WATKINS. That was his official statement made after hearings before him, held in the Interior Department Auditorium.

Mr. NEUBERGER. The Senator still has not answered my question.

Mr. WATKINS. I do not know of any other official statement he made. I know that afterwards he "wobbled" for a while. He wanted to know if there was any other place where the project might be built. He wanted to keep his mind open. But his decision with respect to the precedent stands as the last official action. I have not seen anything to the contrary in any of the records.

Mr. NEUBERGER. The Senate states that Secretary Oscar Chapman's final official position, until he left the office of Secretary of the Interior, was that he favored the construction of Echo Park Dam in the Dinosaur National Monument land?

Mr. WATKINS. I would say that his statement that—

> The order establishing the extension of the monument in the canyons in which the dams would be placed constituted use of the monument for a water project, and my action, therefore, will not provide a precedent dangerous to other reserved areas.

Was his final official position.

Mr. NEUBERGER. That was his final official position?

Mr. WATKINS. That is my understanding. I have not seen anything to the contrary. Whether or not he favors the project is another matter.

Mr. NEUBERGER. I have not come to the floor armed with a lot of documents or assistants. I am asking, for my information, whether that was his final official position.

Mr. WATKINS. So far as I know, it was. I know I had a good deal of correspondence with him when he began to postpone making a decision about going ahead with the project, for other reasons than its being an invasion of a national monument. He wobbled back and forth on that decision as to whether or not it ought to be done, and we had considerable correspondence. Since he has left the Department I understand he has taken the position the project should not be built. But he recommended once it should be built.

Mr. NEUBERGER. I should like to make one comment, if I may. My impression of Secretary Chapman is that he is quite a resolute person, and not a man given to wobbling. Is it not possible that a Cabinet member, be he the Secretary of the Interior or the Secretary of State, might perhaps obtain information or facts which would lead to another conclusion on some question? My opinion is that Secretary Chapman had a good deal of political courage, and that he was possessed of a good deal of positive information on such a subject as that he was considering.

Mr. WATKINS. I shall be glad to submit to the junior Senator from Oregon the correspondence exchanged between the former Secretary and myself, and newspaper statements which he made. If he did not wobble, I do not know what wobbling is. He was regarded in Utah and in the intermountain States generally as the best example in public life of a person who wobbled.

Mr. NEUBERGER. Is the distinguished Senator saying that when a person changes his mind, that is wobbling?

Mr. WATKINS. When a person makes a decision, then comes to doubt it, then goes back to the first decision, then goes to the second decision, then changes his position several times, it sounds to me like wobbling.

Mr. NEUBERGER. We have had many statements recently from the White House and the State Department on four-power conferences. Does that sound like wobbling?

Mr. WATKINS. I have not read the full facts in that regard. If I had, I could answer the Senator's question as to whether it is wobbling. I have seen enough wobbling to know what it is.

Mr. NEUBERGER. I think the Senator ought to give the same lenient review to decisions of former Secretary Chapman as he does to the present officials of the Government.

Mr. WATKINS. Does the Senator accuse the Secretary of State of wobbling?

Mr. NEUBERGER. No; I am merely saying that if the Senator accuses former Secretary Chapman of wobbling, what about the present officials of the Government?

Mr. WATKINS. I can prove that former Secretary Chapman wobbled.

Mr. NEUBERGER. And I can take the files of the Washington Post and Times Herald to prove that present officials in the Government have wobbled.

Mr. WATKINS. I will take the official files rather than newspaper files.

Similar conclusions have also been reached by the present Secretary of the Interior, Douglas McKay, and by President Eisenhower, both of whom wholeheartedly endorse the Colorado River storage project.

I hope that I have successfully dispelled the false "invasion" charges and myths that have been built up around the Dinosaur Monument area. It is also my sincere hope that honest conservationists and nature lovers will study this documentary proof and conclude with me that the Federal Government's integrity in reserving desert areas for water-resource development must be recognized and respected, especially when they are so recognized in a proclamation affecting a national monument.

If we do not respect such authority and such legally correct precedents for including the Echo Park and Split Mountain Dams in the eminently sound and vitally needed Colorado River storage project, then the structure of laws and precedents built up to protect the national parks and monuments that I and most other Americans love and appreciate may itself be placed in jeopardy.

In conclusion, let me remind my colleagues:

First. That the Echo Park Reservoir is second in efficiency, both in the storing and conserving of water and in the production of electric energy, among the nine proposed storage reservoirs in the Colorado River project.

Second. That Echo Park is strategically located between Denver, Colo., and Salt Lake City, Utah, the largest power-consuming centers of the four-State area.

Third. That Echo Park Reservoir is in the center of a group of lesser reservoirs—Flaming Gorge, Juniper, and Split Mountain—and by reason of its location and size it improves the efficiency of these other reservoirs.

Fourth. That the Echo Park Dam site will make deep storage of water possible, thereby cutting down drastically on evaporation losses. It is estimated that use of the Echo Park Dam site will save at least 120,000 acre-feet of water over any of the so-called alternate sites.

Every one of the "alternate sites" that have been suggested will be needed in the final consummation of the use of all the water to which the upper basin States are entitled under the compact.

Fifth. That 120,000 acre-feet of water is sufficient to supply the needs of a city the size of Denver, with its population of over 400,000 people. The total population of Utah is only approximately 750,000.

Sixth. That the upper Colorado River States urgently need and could use beneficially at least twice the amount of water they are allocated under the Colorado compact—7,500,000 acre-feet a year.

Seventh. That the four upper Colorado River States—Colorado, New Mexico, Utah, and Wyoming—now have within their borders reservations of public lands for parks, monuments, national forests, wilderness areas, and so forth, all for the enjoyment of the people of the United States, to the extent of over 43 million acres. That is an area larger than the combined areas of all the New England States.

In his appearance before the Senate Interior and Insular Affairs Committee, one of the conservationists asked, "Should the people of the United States have some of the area as God made it, for us and for our children to see and to enjoy for recreational purposes, and in order to be able to learn about the wonders of nature?"

Again, I point out, Mr. President, that in the States to which I have been referring more than 43 million acres outside of Dinosaur National Monument have been set aside for that very purpose—for the benefit of all the people of the Nation. I have indicated that that area is larger than the area of all the New England States combined. Certainly that should be sufficient. There is a commandment that God's children should be fruitful and multiply, and replenish the earth and subdue it. That commandment indicates that after all is said and done, God expects us to do something about the earth, when he places us here. Certainly there is no reason why man-made reservoirs, dams, and other developments should not be approved by the people and be just as interesting as the natural conditions which existed on the earth prior to man's work upon its surface. In the West there remain, untouched, wonders of nature in great abundance, as Senators from the West and all others who have visited that area know very well. In the West there are hundreds of miles of canyons

and millions of acres of land where people can get away from all the affairs of life, from telephones and all other complexities of modern civilization for as long a time as they may wish. Those recreational opportunities are there, and they are open to the public.

In my State alone, 72 percent of its area is owned or managed by the United States Government; and the people of Utah have to get along with what is left. We have to rely upon the remainder for purposes of taxation, and so forth, in order to maintain ourselves.

We have reached the limit of our water development. The only water left to us, for development and growth in the State, is the water of the upper Colorado. The Echo Park Dam is a key dam which is necessary for the successful operation of all the other dams we have, in order to make this entire project feasible.

Eighth. That the construction of the upper Colorado River storage project with all its units—at least a 50-year job—will be a great regional and national investment that will provide a great increase in homes, jobs, national tax income, and individual contentment, as well as provide a second line of civil and military defense for the Nation as a whole.

With reference to the last statement—that in regard to civil and military defense—I refer you to a statement made by Val Peterson, Federal Civil Defense Administrator, in his appearance before the Senate Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs.

This list, while impressive, does not include all the benefits that will come from a full realization of all the possibilities of the Colorado River storage project, for which I solicit the support of all Members of Congress.

Mr. President, I shall conclude by requesting unanimous consent that the following exhibits be made a part of the RECORD, following my remarks:

EXHIBITS

First. Authority for withdrawals pertaining to Dinosaur National Monument area.

Second. Letter to Senator ARTHUR V. WATKINS from Chairman Jerome K. Kuykendall, of the Federal Power Commission.

Third. Letter of December 13, 1934, from FPC Chairman Frank McNinch to Director Caemmerer, of the National National Park Service.

Fourth. Letter of November 6, 1935, from Interior Secretary Harold L. Ickes to FPC Chairman Frank R. McNinch.

Fifth. Letter of January 9, 1936, from FPC Chairman McNinch to Secretary Ickes.

Sixth. Proclamations of 1915 and 1938 pertaining to Dinosaur National Monument.

Seventh. Memorandum of March 16, 1955, to Senator ARTHUR V. WATKINS from the American Law Division of the Library of Congress.

Mr. President, at this point let me call attention to the fact that I submitted to the American Law Division of the Library of Congress a number of questions regarding the law involved; and I received, in reply, an opinion which supports the views I have expressed.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Utah?

There being no objection, the exhibits were ordered to be printed in the RECORD, as follows:

EXHIBIT No. 1

Authority for public-land reservations (withdrawals) applying to area included within Dinosaur National Monument, which were in effect in 1938 when the monument was extended, and which are in effect today:

WITHDRAWAL

1. Reclamation withdrawal of October 17, 1094. (Ordered by Secretary of the Interior.)
2. Power site reserve No. 5, May 26, 1909 (Secretary of the Interior).
3. Power site reserve No. 42, August 27, 1909 (Secretary of the Interior).
4. Power site reserve No. 121, March 10, 1910 (Secretary of the Interior).
5. Power site reserve No. 721, July 11, 1919 (Secretary of the Interior).
6. Power site reserve No. 732, December 27, 1919 (Secretary of the Interior).
7. Power site classification No. 3, May 17, 1921 (Secretary of the Interior).
8. Power site classification No. 60, February 21, 1924 (Secretary of the Interior).
9. FPC project No. 524, August 4, 1924. (Order issued by Federal Power Commission.)
10. Power site classificaton No. 87, February 14, 1925 (Secretary of the Interior).
11. Power site classification No. 93, April 16, 1925 (Secretary of the Interior).

AUTHORITY

1. Act of June 17, 1902 (32 Stat. 388), section 3.
2. Temporary withdrawal made by the Secretary under the implied powers of his office. It was ratified and made permanent by Executive order of the President July 2, 1910, under authority of act of June 25, 1910 (36 Stat. 8).
3. Same as in 2 above.
4. Same as in 2 above.
5. Act of June 25, 1910 (36 Stat. 847), as amended by act of August 2, 1912 (37 Stat. 497).
6. Same as in 5 above.
7. Act of March 3, 1879 (20 Stat. 394), and act of June 10, 1920 (41 Stat. 1063).
8. Same as in No. 1 above.
9. Act of June 10, 1920 (41 Stat. 1063), section 24.
10. Same as in No. 7 above.
11. Same as in No. 7 above.

EXHIBIT No. 2

FEDERAL POWER COMMISSION,
Washington, D. C.

Hon. ARTHUR V. WATKINS,
United States Senate,
Washington, D. C.

DEAR SENATOR WATKINS: This is in furtherance to the telephone conversation of February 11 between Mr. McGuire of your office and Mr. Divine of the Commission's staff concerning the status of the lands withdrawn for power site purposes in and about the Dinosaur National Monument, Colorado and Utah.

In reply to Mr. McGuire's inquiry as to the power value of the Green and Yampa Rivers as was discussed in Chairman McNinch's letters to Director Caemmerer and Secretary Ickes dated December 13, 1934, and January 9, 1936, respectively, the situation as summed up on those communications remains substantially the same as of this date. However, whereas those letters may be interpreted to indicate that a withdrawal of lands had been effected pursuant to the filing by the Utah Power & Light Co. of an application for project No. 279, an examination of available records at this time fails to show that such a withdrawal was made.

Mr. McGuire also requested that you be advised as to: What was the status of the power withdrawals on July 14, 1938, and what is their status at this time?

In answer to that inquiry, the following power site withdrawals were in effect July 14, 1938, as to lands now within the monument boundaries and no appreciable change has been made in them since that date:

Withdrawals: Power site reserve No. 5, May 26, 1909; power site reserve No. 42, August 27, 1909; power site reserve No. 121, March 10, 1910; power site reserve No. 721, July 11, 1919; power site reserve No. 732, December 27, 1919; power site classification No. 3, May 17, 1921; power site classification No. 60, February 21, 1924; power site classification No. 87, February 14, 1925; power site classification No. 93, April 16, 1925; Federal Power Commission project No. 524, August 4, 1924.

In response to the request for a sketch showing the extent of the power site lands within the monument area, I am attaching a copy of the topographic map of the Dinosaur National Monument upon which there has been superimposed the limits of the lands covered by each of the above-cited power withdrawals.

Sincerely yours,
JEROME K. KUYKENDALL,
Chairman.

EXHIBIT No. 3

UNITED STATES
DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, D. C., August 9, 1934.

FEDERAL POWER COMMISSION,
Washington, D. C.

GENTLEMEN: We are studying the possibility of setting aside certain lands in northwestern Colorado as a national monument. The area considered is within the watershed shown on the map marked "Exhibit H9a," which accompanied an application of January 30, 1932, of the Utah Power & Light Co. for a preliminary permit, and which is on file in the Denver office of the Reclamation Bureau. The proposed monument would be affected by the Echo Park Dam site and the Blue Canyon Dam site, as indicated on the enclosed map of the proposed monument.

Such an area would be established by Presidential proclamation which would exempt all existing rights, and a power withdrawal is, of course, an existing right.

However, we feel that we should call this to your attention. If it is possible to release the power withdrawals that you now have in the area, our monument will be placed in a much better position from the standpoint of administration.

If you have any data or reports on this area we would appreciate very much receiving copies.

Very truly yours,
A. E. DEMARAY,
Acting Director.

FEDERAL POWER COMMISSION,
December 13, 1934.

UTAH POWER & LIGHT CO.

DEAR DIRECTOR CAEMMERER: Reference is made to Acting Director Demaray's letter of August 9, 1934, in which the Commission was advised that you were studying the possibility of establishing a national monument along the Green and Yampa Rivers, in northwestern Colorado, which would embrace lands withdrawn for the proposed Echo Park and Blue Mountain power developments included in the application for preliminary permit of the Utah Power & Light Co., designated as project No. 279.

Assurance was given in the letter that the Presidential proclamation establishing such a monument would exempt all existing rights, including power withdrawals, but a state-

ment was added that if it were possible to release the power withdrawals the "monument would be placed in a much better position from the standpoint of administration." This implied request for a vacation of the power withdrawal has called for careful consideration because of the magnitude of the power resources involved and the fact that the permit application is still in suspended status pending conclusion of the comprehensive investigation of irrigation and power possibilities on the upper Colorado River and its tributaries by the Bureau of Reclamation, and a more definite determination of water allocations between the States of the upper basin. The power resources in this area are also covered by Power Site Reserves Nos. 121 and 721 and Power Site Classifications Nos. 87 and 93 of the Interior Department.

In the application of the Utah Power & Light Co., the primary power capacity of the Echo Park site is estimated at 130,000 horsepower. This is based on the development of a head of 310 feet at the dam and a regulated flow of 5,000 c. f. s. obtained by storage in the proposed Flaming Gorge Reservoir on Green River and Juniper Mountain Reservoir on Yampa River. At Blue Mountain the primary capacity is estimated at 19,000 horsepower based on the development of 210 feet of head and a regulated flow of 1,100 c. f. s.

Ralf R. Woolley in his report on Green River and Its Utilization (Water Supply Paper No. 618, U. S. Geological Survey), proposes the development of 114,800 horsepower, primary capacity, at the Echo Park site, based on an average head of 290 feet and a streamflow of 4,950 c. f. s. At Johnson's Draw, which is his designation for the Blue Mountain site, Mr. Woolley proposes a primary capacity of 43,200 horsepower based on a regulated flow of 1,800 c. f. s. and a head of 300 feet. Either of these estimates would justify installations of something like 300,000 horsepower at Echo Park and at least 50,000 horsepower at Blue Mountain.

It is generally recognized that the Green and Yampa Rivers present one of the most attractive fields remaining open for comprehensive and economical power development on a large scale. Power possibilities on Green River between the proposed Flaming Gorge Reservoir and Green River, Utah, and on the Yampa River below the proposed Juniper Mountain Reservoir are estimated at more than 700,000 primary horsepower, which would normally correspond to 1,500,000 to 2,000,000 horsepower installed capacity. Excellent dam sites are available, and as the greater part of the lands remain in the public domain, a very small outlay would be required for flowage rights. The sites we are considering are important links in any general plan of development of these streams.

Regardless of the disposition which may be made of the Utah Power & Light Co.'s application, and giving due consideration to the prospect that some time may elapse before this power is needed, the Commission believes that the public interest in this major power resource is too great to permit its impairment by voluntary relinquishment of two units in the center of the scheme. The Commission will not object, however, to the creation of the monument if the proclamation contains a specific provision that power development under the provisions of the Federal Water Power Act will be permitted.

I enclose a copy of the portion of the application of the Utah Power & Light Co. which describes the proposed development, and blueprints of exhibits H (a), H (b), and H (c) showing the location of the various units of the plan, river profiles, and cross sections of the dam sites. The Commission has no special reports on the area under consideration, but if you are not already familiar with them, it is suggested that you obtain the following publications of the Geological Survey:

Water Supply Paper No. 618 (previously referred to).

Plan and profile of Yampa River, Colo., from Green River to Morgan Gulch (5 sheets showing river profile and topography and 1 sheet of special dam site surveys).

Plan and profile of Green River, Green River, Utah, to Green River, Wyo. (16 sheets, 10 plans, and 6 profiles).

Yours very cordially,

FRANK R. MCNINCH,
Chairman.

EXHIBIT NO. 4

THE SECRETARY OF THE INTERIOR
Washington, November 6, 1935.

Hon. FRANK R. MCNINCH,
Chairman, Federal Power Commission,
Washington, D. C.

MY DEAR MR. MCNINCH: For some time the National Park Service of this Department has been studying the possibility of setting aside, as a national monument, certain lands in northwestern Colorado and northeastern Utah along the Yampa and Green Rivers. Enclosed is a map of the area.

The Utah Power & Light Co. filed an application in January 1932 for a preliminary permit for a power site reservation in the Yampa and Green River section. This application was on file in the Denver office of the Reclamation Bureau. Recently, however, the Utah Power & Light Co. voluntarily withdrew their application. This suggests that the power resources of the section may not be as important as originally believed.

I shall appreciate receiving your opinion as to the possibility of releasing the power withdrawals that exist in the area. By such action the proposed monument would be placed in a much better position from the standpoint of administration.

Sincerely yours,

HAROLD L. ICKES,
Secretary of the Interior.

EXHIBIT NO. 5

FEDERAL POWER COMMISSION,
January 9, 1936.

Utah Power & Light Co.

Hon. HAROLD L. ICKES,
Secretary of the Interior,
Washington, D. C.

MY DEAR MR. SECRETARY: Reference is made to your letter of November 6, 1935, in which you inquire as to the possibility of releasing the power withdrawals existing in the area along Yampa and Green Rivers, in Colorado and Utah, in which the National Park Service desires to establish a national monument.

The Utah Power & Light Co. did, as you state, withdraw its application for preliminary permit covering the power sites in this area in March 1935 but this withdrawal was not based on any reduced appraisal of the power resources. The action was taken because the Commission was unwilling to carry the application any longer in suspended status, and the growth of the company's power market did not justify the construction of any of the plants within the comparatively brief period which could have been allowed under the Power Act after the issuance of a permit. Nothing has occurred to change the status of the Power Commission withdrawal, or power-site reserves Nos. 121 and 721 and power-site classifications Nos. 87 and 93, which are also involved.

In reply to a similar request made by the National Park Service, a letter was sent to the Director on December 13, 1934, in which the power value of Green and Yampa Rivers was discussed in some detail and the position of the Commission was summed up as follows:

"Regardless of the disposition which may be made of the Utah Power & Light Co.'s application, and giving due consideration to the prospect that some time may elapse before this power is needed, the Commission believes that the public interest in this major power resource is too great to permit its impairment by voluntary relinquishment of two units in the center of the scheme. The Commission will not object, however, to the creation of the monument if the proclamation contains a specific provision that power development under the provisions of the Federal Water Power Act will be permitted."

Since receipt of your letter this whole subject has been given further study but no information has been developed to change the views of the Commission as expressed in the above quotation. For your further understanding of the Commission's position I enclose copies of my letter of December 13, 1934.

Yours very cordially,

FRANK R. MCNINCH,
Chairman.

EXHIBIT NO. 6

2. ESTABLISHMENT OF DINOSAUR NATIONAL MONUMENT

Dinosaur National Monument was established by Presidential proclamation, pursuant to the 1906 act, in 1915, and as originally established covered an area of 80 acres:

"PROCLAMATION OF OCTOBER 4, 1915 (39 STAT. 1752)

"By the President of the United States of America, a proclamation:

"Whereas in section twenty-six, township four south, range twenty-three east of the Salt Lake meridian, Utah, there is located an extraordinary deposit of dinosaurian and other gigantic reptilian remains of the Juratrias period, which are of great scientific interest and value, and it appears that the public interest would be promoted by reserving these deposits as a national monument, together with as much land as may be needed for the protection thereof.

"Now, therefore, I, Woodrow Wilson, President of the United States of America, by virtue of the power in me vested by section 2 of the act of Congress entitled, 'An act for the preservation of American antiquities,' approved June 8, 1906, do hereby set aside as the Dinosaur National Monument the unsurveyed northwest quarter of the southeast quarter and the northeast quarter of the southwest quarter of section twenty-six, township four south, range twenty-three east, Salt Lake meridian, Utah, as shown upon the diagram hereto attached and made a part of this proclamation.

"While it appears that the lands embraced within this proposed reserve have heretofore been withdrawn as coal and phosphate lands, the creation of this monument will prevent the use of the lands for the purposes for which said withdrawals were made. Warning is hereby expressly given to all unauthorized persons not to appropriate, excavate, injure, or destroy any of the fossil remains contained within the deposits hereby reserved and declared to be a national monument or to locate or settle upon any of the lands reserved and made a part of this monument by this proclamation.

"In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

"Done at the city of Washington, this fourth day of October, in the year of our Lord one thousand nine hundred and fifteen and the Independence of the United States the one hundred and fortieth.

"WOODROW WILSON.

"By the President:

"ROBERT LANSING,
"Secretary of State."

"PROCLAMATION OF JULY 14, 1938 (53 STAT. 2454), ENLARGING THE DINOSUAR NATIONAL MONUMENT, COLORADO AND UTAH

"By the President of the United States of America, a proclamation:

"Whereas certain public lands contiguous to the Dinosaur National Monument, established by proclamation of October 4, 1915, have situated thereon various objects of historic and scientific interest; and

"Whereas it appears that it would be in the public interest to reserve such lands as an addition to the said Dinosaur National Monument:

"Now, therefore, I, Franklin D. Roosevelt, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the act of June 8, 1906 (ch. 3060, 34 Stat. 225 U. S. C., title 16, sec. 431), do proclaim that, subject to all valid existing rights, the following-described lands in Colorado and Utah are hereby reserved from all forms of appropriation under the public-land laws and added to and made a part of the Dinosaur National Monument:

* * * * *

"aggregating 203,885 acres.

"Warning is hereby expressly given to any unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

"The reservation made by this proclamation supersedes as to any of the above-described lands affected thereby, the temporary withdrawal for classification and for other purposes made by Executive Order No. 5684 of August 12, 1931, and the Executive order of April 17, 1926, and the Executive order of September 8, 1933, creating Water Reserves No. 107 and No. 152.

"The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument as provided in the act of Congress entitled 'An act to establish a National Park Service, and for other purposes,' approved August 25, 1916, 39 Stat. 535 (U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof, except that this reservation shall not affect the operation of the Federal Water Power Act of June 10, 1920 (41 Stat. 1063), as amended, and the administration of the monument shall be subject to the reclamation withdrawal of October 17, 1904, for the Brown's Park Reservoir site in connection with the Green River project.

"In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

"Done at the city of Washington this 14th day of July, in the year of our Lord nineteen hundred and thirty-eight, and of the Independence of the United States of America the one hundred and sixty-third.

"FRANKLIN D. ROOSEVELT.

"By the President:

"CORDELL HULL,
"The Secretary of State."

EXHIBIT No. 7

THE LIBRARY OF CONGRESS,
Washington, D. C., March 16, 1955.

To: Senator ARTHUR V. WATKINS,
Attention: Mr. Jex.
From: American Law Division.
Subject: Dinosaur National Monument.

We regret that because of previously assigned work and the necessity to meet other deadlines, we have been unable to devote the time requisite to a complete answer to your questions. In response to the urging of Mr. Jex, we have stated below for your consideration the tentative results of our study. Preliminarily we quote and answer your questions as follows:

1. Are the conclusions of Committee Counsel George W. Abbott (Colorado River storage project hearings * * *. Committee on Interior and Insular Affairs. House * * * 83d Cong. * * * on H. R. 449, H. R. 4443, and H. R. 4463 * * * p. 719) acceptable?

They are.

2. Did the 1938 enlargement of Dinosaur National Monument leave the power sites subject to the Federal Power Commission's withdrawal authority? We think it did.

3. Under the Federal Power Act, are management and control of the power sites reserved in the Commission? We think they are, especially in view of the Roanoke Rapids decision, *Chapman* v. *F. P. C.* (1953) 345 U. S. 153. The turning point in that case was that Congress had not withdrawn the jurisdiction of the Federal Power Commission to issue a license (pp. 156–172). The basis for the other answers will appear in the following presentation.

The act of March 3, 1921 (41 Stat. 1353–1354) provided: "That hereafter no permit, license, lease, or authorization for dams, conduits, reservoirs, powerhouses, transmission lines, or other works for storage or carriage of water, or for the development, transmission, or utilization of power, within the limits as now constituted of any national park or national monument shall be granted or made without specific authority of Congress, and so much of the act of Congress approved June 10, 1920, entitled "An act to create a Federal Power Commission; to provide for the improvement of navigation; the development of water power; the use of public lands in relation thereto; and to repeal section 18 of the River and Harbor Appropriation Act, approved August 8, 1917, and for other purposes," approved June 10, 1920, as authorizes licensing such uses of existing national parks and national monuments by the Federal Power Commission is hereby repealed."

The import of the words of this act, insofar as Dinosaur National Monument is concerned, is that it was to apply to existing national (parks and) monuments within their limits as then constituted. Dinosaur National Monument, as it then existed under the proclamation of October 4, 1915, consisted of, and was limited to, 80 acres. That is the area taken from the possible jurisdiction of the Federal Power Commission. This interpretation coincides with the codified versions later appearing in the United States Code.

The 1934 edition of the Code of * * * the United States * * * as published by the Government Printing Office carries a codification of the statute in the following language (U. S. C. 16:797):

"Provided further, That after March 3, 1921, no permit, license, lease, or authorization for dams, conduits, reservoirs, powerhouses, transmission lines, or other works for storage or carriage of water, or for the development, tranmission, or utilization of power, within the limits as constituted, March 3, 1921, of any national park or national monument shall be granted or made without specific authority of Congress."

This same wording appears in the 1925 Code of * * * the United States * * * (44 Stat. part 1) and in the note U. S. C. A. 16: 797. While the act of March 3, 1921, has some bearing as an indication of congressional policy at that time, we perceive of no present applicability to the monument in dispute. Its present status appears to be that of a dangling provision of law specifically saved from repeal by the proviso of section 212 of the amended Federal Power Act of August 26, 1935 (49 Stat. 847). See hearings * * * page 729. This points up and narrows we believe the conclusion on page 730 by Mr. Abbott. It indicates that the act was limited to parks and monuments "as constituted" on March 3, 1921.

We do not know the relative standing of the present Dinosaur National Monument area among the great scenic regions of the earth and we do not intend to assume a position bearing on the merits of conservation or reservation in this instance. We do know that the area is still Dinosaur National Monument. It is neither Echo Park National Park nor is it even Echo Park National Monument.

The standard established by Congress for the establishment of a national monument is "the smallest area compatible with the proper care and management of the objects to be protected." This was 80 acres under the proclamation of October 4, 1915, and it apparently sufficed for nearly 23 years for the protection of "an extraordinary deposit of Dinosaurian and other gigantic reptilian remains of the Juratrias period." As an existing national monument on March 3, 1921, its area was withdrawn from the jurisdiction of the Federal Power Commission with the 80-acre limits as then constituted. When the reservationists sought enlargement of the monument, there was unyielding opposition by the Federal Power Commission to the inclusion of certain damsites, and an agreement was reached or at least an arrangement made, which obviously was intended to reserve the sites or at least the authority of the Federal Power Commission with respect to power sites. The new boundaries of the monument were otherwise described by sections, surveyed, and unsurveyed.

It is to be presumed that the President did not intend a nugatory act when he included in the proclamation of July 14, 1938 (53 Stat. 2454), the exception "that this reservation shall not affect the operation of the Federal Water Power Act of June 10, 1920 (41 Stat. 1063), as amended, and the administration of the monument shall be subject to the reclamation withdrawal of October 17, 1904, for Brown's Park Reservoir site in connection with the Green River project." As a matter of hindsight, perhaps it would have been preferable to designate specifically the power-site reserves. However, it is our understanding, after perusing the hearings and materials submitted, that there were a number of favorable sites and variant possibilities for locations, and therefore the exception was made in general language by reference to the Federal Power Act.

We have presumed that the President did not intend a nugatory act. Courts frequently have indulged in such a presumption with respect to legislative and other acts. A court is not always confined to the statutory written word. Construction is sometimes to be exercised as well as interpretation. *U. S.* v. *Fareholt* ((1907) 206 U. S. 226, 229). In dealing with Congress, judges are not to be curious in nomenclature if Congress has made its will plain, nor allow substantive rights to be impaired under the name of procedure. *Atlantic Coast Line R. Co.* v. *Burnette* ((1915) 239 U. S. 199, 201). Every legislative enactment is to be given effect if possible (ut res magis valeat quam pereat), "that the thing may rather have effect than be destroyed." *Unity* v. *Burrage* ((1880) 103 U. S. 447, 457). Even where the construction of a deed is doubtful, courts will always prefer that which will confirm to that which will destroy any bona fide transaction. *Griffith* v. *Bogert* ((1855) 18 How. 158, 163). It would be harsh, indeed, and not consonant with accepted practice, to hold that an administrative act, having standing similar to a legislative act, was not entitled to the same considerations in its interpretation or construction as a legislative or even private act.

We indicated earlier that under section 2 of the act of June 8, 1906 (34 Stat. 225; U. S. C. 16: 431) the President is authorized, in his discretion, to reserve as national monuments "parcels of lands, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected." It is our understanding that the President also is authorized to reduce the area of a national monument. Op. Sol. July 21, 1947, M-34978 (60 I. D. 9–10.) If this is so, can he

not establish or enlarge a monument subject to limitations or reservations? We think he can.

We do not know the extent, number, or the exact status of the power site reserves within the extended boundaries of Dinosaur National Monument. We assume that they come within the purview of section 24 of the Federal Power Act (U. S. C. 16: 818) and remain reserved under the jurisdiction of the Federal Power Commission until otherwise disposed of by the Commission or by Congress. Indeed, it has been held by the Interior Department that the language of the Federal Power Act is clear and decisive. "Under the first sentence of section 24, the mere filing of an application for water-power privileges operates automatically to withdraw water-power sites from entry, location, or disposal under other laws 'until otherwise directed by the Commission or by Congress.' It is clear beyond question that the jurisdiction of this department over any lands of the United States included in any proposed project under the provisions of said act automatically terminates upon the filing of an application therefor with the Federal Power Commission, and this department has no further control of the lands until and unless jurisdiction is restored by the Commission or by Congress." Nevada Irrigation District (on rehearing) (June 4, 1908) 52 L. D. 377, 378.

In view of the nonapplicability of the act of March 3, 1921, and the reservations existing at the time of the amendment of the Federal Power Act of August 26, 1935 (see the letters of the Chairman, Federal Power Commission dated Dec. 13, 1934, and Jan. 9, 1936, * * * Hearings * * *, pp. 728 and 731) we do not see how these sites could have been included in Dinosaur National Monument on July 14, 1938, except either by a release by the Commission or by an act of Congress. We have found neither.

It is true that the definition of "reservation," as enacted in section 201 of the Federal Power Act of August 26, 1935 (49 Stat. 838; U. S. C. 16: 796 (2)) excluded national monuments and reservations. The provision was explained as follows:

"The definition of the former term ('reservations') has been amended to exclude national parks and monuments. Under an amendment to the act passed in 1921, the Commission has no authority to issue licenses in national parks or national monuments. The purpose of this change in the definition of 'reservations' is to remove from the act all suggestion of authority for granting of such licenses." (H. Rept. 1318, 74th Cong., p. 22.)

However, we have already shown that the power sites were not, indeed could not be, included in the Dinosaur National Monument, and there is nothing in this definition which changes that status.

Mr. WATKINS. In addition, Mr. President, let me say that if it were possible to do so, I would have today's RECORD include maps "A" and "B," which I have exhibited today to the Members of the Senate. These maps show areas on the Green and Yampa Rivers reserved for power development prior to the 1938 extension of the Dinosaur National Monument, and in effect today.

Mr. President, during the colloquy I had with the Senator from Arizona, I referred to a statement by Mr. J. LeRoy Kay, curator of Vertebrate Paleontology, of the Carnegie Museum, at Pittsburgh, Pa. His statement is very illuminating. In 1954, he submitted it to the Senate committee which was holding hearings on the bill then before the Congress. That committee had the benefit of Dr. Kay's very wonderful testimony; and I wish to point out that it was printed in the RECORD on March 23, 1955, beginning on page 3524.

Mr. President, I yield the floor.

During the delivery of Mr. WATKINS' speech,

Mr. GOLDWATER. Mr. President, will the Senator from Utah yield?

Mr. WATKINS. I yield.

Mr. GOLDWATER. Mr. President, I am sorry that I missed most of the speech of the Senator from Utah. I wanted to ask him a question. I wonder if the Senator recalls Black Canyon and Boulder Canyon, two very picturesque canyons, which were very difficult of access before the construction of the Hoover Dam?

Mr. WATKINS. I recall them very well.

Mr. GOLDWATER. The reason why I asked the question is that the situation now being discussed is closely akin to that which existed prior to the construction of Hoover Dam. Black Canyon and Boulder Canyon are two of the most beautiful and awe-inspiring canyons in the Nation. I would say that fewer than 25 persons a year visited there prior to the construction of Hoover Dam. The area has been visited by an increasing number of persons each year.

Mr. WATKINS. I think the number runs into the millions.

Mr. GOLDWATER. In fact, I may inform the Senator and the Senate that approximately 2½ million persons were able to visit this heretofore inaccessible area. I am sure the Senator realizes that the Yampa River, the Green River, and Echo Park are almost impossible to reach by boat or by automobile. The reason for the construction of the dam in this recommended situation is so that millions of American people will be able to visit this beautiful section of the country each year.

Mr. WATKINS. I realize that. There was a witness before the committee when we were holding hearings on S. 500 by the name of Dr. Kay, of the Carnegie Museum in Pittsburgh. He had worked for many years in the Dinosaur area. He had visited the Echo Park site and had been up and down the canyon. It was his opinion that it would be better by far for the benefit of the park and the monument itself to build the dams than not to build them, because he said it would give an opportunity to all the people of the United States to see this wonderful scenery. The only way people can now visit it is to take a boat and go down with a limited company. There has not been an average of 120 persons a year visiting the canyon areas in the past 20 years.

Mr. GOLDWATER. If we gave history the benefit of the doubt we might expand the number to 500, but that would cover only the years since the war. As the Senator from Utah knows, I have on several occasions visited the area both by boat and afoot. I have very deep interest in the subject.

I wonder if the Senator from Utah would permit me to refresh his memory by going back to the hearings on the Colorado River storage project. The testimony to which I refer is found on page 298 of the published hearings.

Mr. WATKINS. Of the Senate committee?

Mr. GOLDWATER. Yes. They are out today. I doubt if the Senator has seen a copy.

I also wish to invite the Senator's attention to a statement made by Mr. John Grounds, and I wonder if the Senator would permit me to read the letter which I received from Mr. Grounds this morning.

Mr. WATKINS. I shall be glad to do so.

Mr. GOLDWATER. Mr. Grounds is a very prominent cattleman in Arizona. He was born in Utah within the area about which we are speaking, and he has lifelong intimacy with the problems we are discussing today. He wrote me as follows:

Nearly 100 miles from the Denver & Rio Grande Western Railway, terminating at Craig, Colo., in a westerly direction and almost an equal distance from the Union Pacific Railway at Rock Springs, Wyo., to the south, lays a country known to a very few people but discussed by many.

When we mention Echo Park Dam and Dinosaur National Monument we know right where we are, on paper.

The dusty, rocky, rough roads are out of the question for the public and once you do finally get to the canyon area in the Dinosaur Monument, where 1 of the 2 or 3 rocky roads end, you are there and no further, unless you have boats and expensive equipment to run rapids and make portages around white water. Even trails end in these canyons. It is possible to travel on foot along these river canyons in the winter when the rivers are frozen but going is extremely hazardous and the rapids never freeze.

There are many fine views of the canyons from the top of the walls but it may take days to get to one of them.

About 200,000 acres of this rugged country, unchanged by man, is in the Dinosaur National Monument but what good is it if the public doesn't get to see it? We can read literature that states that as many as 12,000 people saw the Dinosaur Monument last year. By all means, let us get this statement clear. Twelve thousand people probably did register or visit the Dinosaur excavations at the headquarters of the monument but that is many miles below the Echo Park Dam site and out of the canyon country. Only a few dozen people a year see the great Lodore and Yampa Canyons.

Can it be true that the thousands of people writing to their Senators and Congressmen to block the Echo Park Dam really wish to see the great water and power potentials continue to go unused when millions of people could benefit by this dam? These very people will probably never know or see the wonders and sights of the Dinosaur Monument if the dam isn't built. Then, what is the point gained by all the letters pressuring our Congressmen to abandon this project? Are we to waste all this power and water and the prosperity that goes with it? Is this what conservationists mean when they say "conserve"? Surely these groups of people do not understand this particular situation and the cards, letters, and pamphlets mailed out to the public should be considered from this point. I have in my possession literature on and from the following groups: American Planning and Civic Association, Izaak Walton League, National Parks Association, Wilderness Society, the National Wild Life Federation, the Forest Conservation Society, the Sierra Club, Colorado River Association (306 West Third Street, Los Angeles, Calif.).

All of these organizations constantly working on the unorganized public are sure to

arouse much undue resentment from well-meaning citizens.

The group at the foot of the mentioned list—

And Mr. Grounds there is referring to the Colorado River Association—

must not be classified with those who are misinformed or uninformed, but linked with those who have done everything in their power to stall and disrupt progress of their neighboring States who attempt to bring about a diversion of the waters of the Colorado River.

To sum up the water controversy between the State of California and other States participating in the Colorado River Compact, most people figure this way. How much water is contributed by the State of California to the Colorado River? Next, how much water does California call her "rightful share"? Most people develop an intense hatred against the State of California for their actions and tactics on this controversy.

Surely, it is not the entire great coastal State of California that is upholding this one-sided measure, but, rather, a small southern portion of the State armed with a battery of opportunities for attorneys.

Are we going to allow six Western States to be deprived of their rights for the sake of a small part of 1 State that is attempting to gain a water right by stalling for time so that they may develop a usage they can call a right?

In the event of enemy nations resorting to atomic warfare should be ample reason to distribute our progress and improvements more evenly among other States and areas so as not to make any one spot a too likely a target and also to develop other more remote lands to an extent that refugees could be cared for. Population as well as factories must be dispersed.

Any further stalling of the Colorado River development plan can no longer be looked on by the people of the Western States as a trial or a case being fairly argued. If the points involved cannot be settled now, we all are going to want to know the reasons.

JOHN GROUNDS.

VALENTINE, ARIZ.

EXTENSION OF TRADE AGREEMENTS ACT

Mr. JOHNSTON of South Carolina. Mr. President, I send to the desk three amendments which I intend to propose when House bill 1 comes before the Senate. I now ask that the amendments be printed, so as to be available when that bill is taken up, after it is reported from the Finance Committee.

The PRESIDING OFFICER. The amendments will be received, printed, and referred to the Committee on Finance.

Mr. JOHNSTON of South Carolina. Mr. President, the Senate Finance Committee now has under consideration H. R. 1, which passed the House of Representatives on February 18, 1955. This bill has for its purpose the extension of authority to the President of the United States to enter into certain trade agreements, and for other purposes. The bill contains certain provisions to which I have fundamental objections. A few minutes ago I sent to the desk certain amendments which I intend to propose to House bill 1. The purpose of the amendments is to overcome these basic objections and to cure the obvious defects of that bill.

The proponents of H. R. 1 are contending that its provisions in effect call for a 3-year extension of the President's authority to enter into trade agreements with the power to reduce or increase existing tariff rates to the extent of 5 percent annually for the next 3 years. If this in fact is true, and if one could be assured in its administration of such a fact, there might be no necessity for the amendments I have sent forward. My experience here, however, has taught me that in the final analysis of things and in the administration of many acts of Congress, not always are the stated purposes realized. Oftentimes, administrative rules and regulations which thwart the will of Congress are issued. Oftentimes the courts construe our acts to mean what we ourselves never intended them to mean.

Mr. President, the real purpose of the amendments I have sent forward today is to protect the cotton textile industry, particularly, against the contingencies of bad administration which can very well and may very well happen with disastrous results, not only to labor but to management itself. I do not propose at this time to address myself at length to the real reasons for the provisions of these amendments, as I am hopeful that the Finance Committee may report a measure which will meet with my approval. The Senate and the country, however, must be alerted against the possible dangers lurking in the loose language and certain loopholes which I see in H. R. 1. No opportunity ought to be presented now for the doing in the future of an irreparable injury to the cotton textile industry, one of the basic industries in South Carolina, nor to the hundreds of thousands of employees whose daily livelihood would be affected by it. My own specialized knowledge of and close association since childhood with the cotton and textile industry afford me a better background to speak out now than has been the case with many other Senators.

Mr. President, my mail has been heavier on the present pending measure, H. R. 1, than on any other subject since I have been a Member of the Senate. The thousands of appeals which have reached me from employees and laborers who fear their jobs will be placed in jeopardy by such legislation have made a profound impression upon me. The industry, whose investments may be at stake, let it be noted, is likewise alerted to the dangers that confront it. My sympathy is with management and the workers alike in the predicament which they face in the cotton textile industry, because of the loose, elastic language and the uncertainties lurking in H. R. 1.

The amendments which I am submitting today would make more certain the character of administration which we should anticipate, and would render less hazardous the means of livelihood of those engaged in it. I am dedicated to the purpose of securing continuing benefits for those whose daily bread depends upon steady employment at fair wages, the laborers in the cotton fields and in the cotton mills. If the mills suffer for lack of an adequate market, then labor, too, will suffer.

Let me digress for a moment to point out that much criticism has been directed to the position I have consistently taken on the floor of the Senate in opposing our foreign aid programs, which I have called our giveaway folly. There are those who are now beginning to realize that the fundamental objections which I have urged through all these years may now affect them. I have never felt that we possessed the strength to spread safely our economic aid all around the world and at the same time maintain our own economic strength and standards of living at home. It is as simple as that to me. Our economic strength has never justified the wanton and reckless wasting of our substance in all the areas of the world. Regardless of the percentage of our own economic strength, all must eventually realize that 6 percent of the world's population cannot compete with the remaining 94 percent. However splendid and beautiful and seemingly righteous the hope that we can perfect the working conditions of mankind everywhere, we ought to recognize, if we are at all realistic, that we cannot attain this desirable condition by our efforts alone. When we weaken ourselves economically, we weaken ourselves militarily and destroy the high standards of living we have set at home.

The theorists, the economists, and many who are capable of talking out of both corners of their mouths have yet to satisfy me that we can by weakening our own economic condition save the whole wide world. I will go along with these programs just so far and no farther. I do not want to see the United States—and, so far as I can prevent it, the great industries of the South—leveled off or sunk for the benefit of others to whom I have no personal obligation or duty to protect.

Look at the condition of the textile industry for a moment. I refer to the fact that the percentage of sales and profits on sales after taxes have already declined in the textile industry. They were about 3.8 percent in the aggregate for the periods of 1950, 1951, and 1952. In 1953 the percentage dropped to about 2.1. For the first three quarters of 1954, the percent of profits has dropped to the dangerously low level of .09. Some may call this narrowness on my part, but with me charity begins at home. Commonsense, prudence, and realism should be our constant guides. The one-worlders' program has never excited my religious devotion because in most respects such idealism is impracticable.

Let me be specific for a moment. There are certain negotiations now in progress at Geneva the outcome of which can and will vitally affect the cotton textile industry in South Carolina and the great mass of my former fellow-workers in the cotton mills. These pending negotiations are before the International Organization known as GATT, which means "General Agreement on Tariffs and Trade." This organization is one of those created by an Executive agreement. Its provisions have never been submitted to the Senate for confirmation. They never will be. To submit the destiny and welfare of the laboring people or their bosses to the tender mercies of the representatives of about 36 other nations and

the diverse interests thus resulting is asking more than I, personally, am willing to give. In addition, it is the sole constitutional function of Congress to regulate commerce. To permit a foreign group, by whatever name called, to have control over the American commerce is an abdication of our Constitutional responsibility in the Senate. Congress must not kill the goose that lays the golden eggs, however large or small the eggs may be.

Until the negotiations at Geneva are concluded and their terms fixed and made known to us, it is unwise and unfair to the workers and businessmen of America to submit their welfare and the future determination of their relative rights to any foreign group in which we have only one voice. We must fix and maintain their rights here and now. To me it is self-evident and obvious that the date of July 1, 1955, as a pivotal starting point for the reduction or increase of tariff rates is hazardous. It is my solemn conviction that January 1, 1955, a date on which we know what conditions were, should be substituted for July 1, 1955, in the provisions in H. R. 1.

One of my amendments has to do with the elimination and clarification of some very loose language now employed in H. R. 1. Ever since I became a Member of the Senate it has been my conviction and contention that we should not delegate our legislative functions. I have always sought to maintain the position that the lines of separating the authority of the legislative branch, the judicial branch, and the executive branch of our Government should be more clearly marked. I do not believe that the legislative branch is capable of administering a law; by the same token, I do not believe that the executive branch should be delegated a legislative function. That has been the basis of my objection and will continue to be the basis of my objections to all judicial legislation. I shall continue to insist as long as I am here that the policy of our Government must be determined by the Congress, and not by the judicial branch or the executive branch. We cannot follow the administration of every act of Congress after we pass bills; the day-by-day task is too much for us. We can, however, by a correct choice of words and by a prudent selection of language, make more reasonably certain that our intent in passing legislation is not thwarted in its administration. The language in paragraph ii, subsection d, of section 3 is quite loose and leaves too much for future determination or arbitrary interpretation. I find in it the words "normal" and "negligible." "Normal" and "negligible" are relative terms, leaving too much discretion to the future, too much to be interpreted at the behest of those who administer them—so far as this particular piece of legislation is concerned, and can very easily in reality become a travesty on both labor and management in South Carolina. I have believed and urged consistently for a fair margin of profit for industry and for labor's share in that profit. To assure continued and better working conditions, fair wages, a higher standard of living, labor's just rewards, and a fair margin for industry, I think these elastic and undefined terms "normal" and "negligible" should be stricken from the pending bill. Conditions may develop in the future, and too many varying minds and other dependent happenings may be brought into play to satisfy my doubts; hence, the statute should be pinpointed now to eliminate the elasticity these two words permit.

For all these reasons, and for the greater reason that none of us can predict what the future holds, I have submitted another amendment.

The "escape" clause and "peril-point" provisions of existing law are yet in the main untried in their application. There have been 59 applications for relief before the Tariff Commission; in 15 of these cases, although the Tariff Commission has found injury or threat of injury to industry or labor, the President of the United States has taken action in only 5 cases. This is the result for the simple reason that the President may take into consideration other factors which a particular industry or segment of the industry is given no right to answer.

Until we proceed a little further and invest the Tariff Commission with the power to hear all the factors and bind the President to follow them, I contend too much latitude is given one man and too little opportunity to answer is given those who may be adversely affected in that individual's decisions. I do not wish to see the cottonmill workers in South Carolina out of employment nor the industry exposed to the dangers and uncertainty of subparagraph E of H. R. 1 now pending before the Finance Committee. This result could very well be disastrous from top to bottom.

Suffice it for the moment to say that we must never forget our own people in both labor and industry when we revel in our ability to scatter their economic substance to the four winds of the heavens.

RECESS TO WEDNESDAY

Mr. STENNIS. Mr. President, so far as the Senator from Mississippi knows, no other Senator desires to speak today. Inasmuch as it is understood that the Senate will recess until Wednesday, I move that the Senate now take a recess until Wednesday at 12 o'clock noon.

The motion was agreed to; and (4 o'clock and 35 minutes p. m.) the Senate took a recess until Wednesday, March 30, 1955, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 28, 1955

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, we beseech Thee to look upon us with divine favor and inspire us with fidelity and fortitude as we enter upon the duties and tasks of this week.

Daily we need Thy guiding and sustaining presence and power, for we are challenged by responsibilities which are far beyond all finite wisdom and strength.

Help us to affirm with increasing courage and confidence our faith in Thee and in the ultimate triumph of righteousness and justice for Thou hast placed us in a moral universe.

Hear us in Christ's name. Amen.

The Journal of the proceedings of Thursday, March 24, 1955, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Ast, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1. An act to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department; and

S. 67. An act to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4259) entitled "An act to provide a 1-year extension of the existing corporate normal-tax rate and of certain existing excise-tax rates, and to provide a $20 credit against the individual income tax for each personal exemption."

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 55–11.

TAX RATE EXTENSION ACT OF 1955

Mr. COOPER submitted a conference report and statement on the bill (H. R. 4259) to provide a 1-year extension of the existing corporate normal-rate and of certain existing excise-tax rates, and to provide a $20 credit against the individual income tax for each personal exemption.

BANK HOLDING COMPANIES

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include an address.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SPENCE. Mr. Speaker, our able and distinguished Speaker of the House of Representatives addressed the dinner meeting of the Independent Bankers Association convention in Washington on March 26. He made a very clear and convincing argument against the dangers of the concentration of economic